Jasso Investigation

July 5, 2024 – Interview w/ Kasey Loete at 3:00 p.m.

My name is Melissa Arnold and I am the Assistant Director of HR – Labor and Employee Relations. I, along with Tina McLain, are investigating a complaint of allegations of misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject. I will be posing most of the questions today, but Tina may have additional questions for you.

We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Names: Constance White (CW), Melissa Jaso (MJ), Grace Beardemphl (GB), Chris Hutton (CH), Shaneeka Tulloch (ST), Kevin Stock (KS)

Union Representative: N/A

1) Do you have any questions before we begin?
    - Nope
2) How long have you worked for Pierce County?
    - for 13 months
3) What is your current position?
    - Administrative Assistant
4) What is your chain of command?
    - Constance White (CW)
5) What is your work schedule, including shift and days off? Location?
    - M-F 8-4:30 at the CCB
6) Do you have any idea why you are here today?
    - Nope
7) I am going to bread crumb. I not going to purposely frustrate. But I am going to start by giving little pieces of information to see if it can trigger while you are here.
    - Ok

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8) It was reported that during the most recent all-staff meeting for the Clerk's Office, Constance was talking about the new software that was recently installed. Knowing that, does that jog your memory at all?

- Melissa Jaso (MJ)! I think we are here the for the way Melisa Jaso (MJ) was acting at the meeting.

9) Can you tell us as much as you can remember?

- Our staff meetings are typically short to have them done before 8:30am. CW speaks first, then asks supervisors to share if they have anything. Then opens it up to employees. MJ was sitting in a chair facing a way from CW, bent over with her forearms on her knees and turns her head slightly. She said "it was bullshit we came into work that we didn't have any training on the new cash app system." I can't remember her exact words but that we didn't have any training and we should have before we came into work. CW tried to speak on it but again she hands on knees turns didn't look at anyone and with her one went back in with the same thing. MJ has a crony Grace (GB), so she turns to GB. GB started chirping in with the same thing. Then CW can see that a fight will ensue because she can read the room well. MJ kept interrupting her with the same thing. CW said, "this is my office, I acknowledge I should have done better, and we should have done better, we will do better next time." MJ and GB never stood up or made eye contact, did not come around the corner. MJ refused to listen to anything CW had to say. It was so awkward.

10) How many people were there?

- 30 people there maybe. We had 56 who work there but some were off that day.

11) When CW started the meeting was MJ's back already turned to her?

- Yes

12) You used the word 'bullshit', is that the words she actually used?

- I'm not sure.

13) Describe the tone of her voice

- angry, stern, mad voice but not a raised voice.

14) Was she the only one sitting in the meeting?

- The only one sitting with her back turned, but normally people stand because it is a short meeting.

15) Is this the room where the pool table is?

- Yes, actually the ping pong table. We usually say meet me at the ping pong table.

16) What is Grace's last name?

- Grace Beardemphl (GB)

17) Do you remember anything GB said specifically?

- Not specifically. She didn't have an angry tone of voice; she was more trying to stand up for her friend. It was to the effect of we should have had the training.

18) Was there any training provided for this?

- Yes, to the Supervisors. The judgements manager did ask if the supervisor wanted any training for their people.

19) When CW came in and apologized and MJ was interrupting her, what did she say?

- She says, "but this is where we should have been training, why did no one think of us?" It was clear to me, no matter what CW was going to say MJ was going to bark back to her, so CW took a sharp turn and said, "this is my office and I take responsibility and I will make sure you get training."

20) There were 30ish people in the room did everyone see this?

- Yes

21) Have you had any conversations with anyone including Constance?

- No, I talked to her about that because I am her admin, I said it was awkward, it was hard to see someone talk to her about that. It was the first day we had an intern, my heart broke for CW. I complimented her on her ability to read the room and that was about it.

22) Is there someone we should talk to for additional information or who would have been right there next to Melissa (MJ) or Grace (GB)?

- Molly House the intern was closest to GB, but I didn't see her since she wasn't fully in the room. I remember people were facing MJ back, I am guessing who was standing but I can't say for 100%.

23) Was the chair she was sitting in a regular office chair?

- No let me get a pen so I can describe it you (3:15pm stepped away) Mini couches, they do go in a circle, (*drawing picture)* 3 couches go together, she didn't intentionally take a chair and face it away. It is the chair itself.

24) If it was you stuck with that spot, would you be seated in that direction?

- I wouldn't have done that to the person holding the meeting. All you have to do is turn it around. If I couldn't have turned it around, I would have just stood.

25) Any other additional information we should know?

- No, just maybe Shaneeka (ST) can verify that she had offered the training to everyone, if that is important. Not that that is important if this is about MJ behavior. Even if we told them we asked your supervisors.

26) Do you know why she acted that way?

- MJ and GB are nasty when it comes to CW. they won't talk to her, she has said "hi" but they don't say hi back. They don't even talk to me. Unless there is a new employee. They just make fun of me. They are upset that CW got the job and not Chris Hutton (CH). That is main thing, I have never seen her make a rash decision, they just don't want her there and they are not going to be nice to her or

show her respect. I do know she hasn't done anything that affects them personally or professionally based on the changes she has made since she got here.

27) How do you know they make fun of you?

- I can hear them.

28) What do they say?

- It is the tone or the way they laugh when I walk away. That comes with the territory of a few people.

29) Who else?

- Others. Because I work for CW.

30)How was it you found out that there was a rub about CW going into this role instead of CH.

- I went to CW that no one like me and no one engages with me. I came from a job of 18 yrs where I was very well like. And CW said because you work for me, and you are an outsider and that may make you unpopular forever because you work for me.

31) Have you heard of rumblings that people don't like CW because of her race?

- No.

32) Tina, do you have any questions? *Pause/Thinking*

- Here is an example of the office works, like today, I said wanted ice cream, so CW said let's get ice cream for the office. The whole office saw us come in to get ice cream, everyone thanked me, but no one thanked CW. She got Chick-Fil-A one day, and I sent an email out saying it was there and everyone thanked me but not CW.

33) Anything else?

- I don't want to open a can of worms. But they said if you were flat on your back with your feet up no one would care. The people I am referring to are the people who were here when Kevin (KS) and Chris (CH) were.

34) (Tina) Do you feel like it is you and CW against everyone else or just a certain group?

- I wouldn't phrase it like that, it doesn't feel like us against them. It is really frustrating for me because CW is so classy and professional, I want to stand up for her. Bottom line it wasn't CH Hutton in that position, she always remembers she is an outsider, she is cautious with decisions. I don't remember her saying a bad thing, nothing negative and just a way to express frustration.

35) I know what you mean about the can of worm with CH, I was unaware that it was happening to this extent.

- the employees let him come in and come to back of the office. CW has endured a lot of trauma and people don't view it as trauma. This is hearsay, to have him come in and sit and talk for hours is not only unprofessional, he doesn't work there! I can't bring my spouse in. It is passive aggressive. I know CH told

everyone his side of the story. People don't seem capable of acknowledging that it was an interview process.

36) It has been really helpful.

- I am trying to think of specific examples…

37) No, these examples are helpful in how the workplace is operating. Toxic, is that you word describe it?

- Yes, toxic.

38) If you think of anything else, please reach out.

- I will, thank you.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

Ended 3:33 PM

July 5, 2024 – Interview w/ Kasey Loete at 3:00 p.m.

My name is Melissa Arnold and I am the Assistant Director of HR – Labor and Employee Relations. I, along with Tina McLain, are investigating a complaint of allegations of misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject. I will be posing most of the questions today, but Tina may have additional questions for you.

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If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

Do you have any questions before we begin?

1) How long have you worked for Pierce County? 13 months
2) What is your current position? Administrative Assistant
3) What is your chain of command? Constance White
4) What is your work schedule, including shift and days off? Location? M-F, 8-4:30
5) Do you have any idea why you are here today?
6) It was reported that during the most recent all-staff meeting for the Clerk's Office, Constance was talking about the new software that was recently installed. Knowing that, does that jog your memory at all?
    - Oh! Melissa Jaso. This is about Melissa Jaso and her conduct which was just outrageous. She was sitting in a chair facing away from Constnace and kind of bent over. She turns her head slightly and says something about it was bullshit that we came into work without any training on the new cash system. We didn't have any training and we just walked in. Constance goes to speak on it and Melissa went right back to it. Melissa has a cronie named Grace and Grace starts chirping in from the other side of the room. Constance who can read the room very well so she apologizes and tries to explain. Melissa kept interrupintg. Constance said it is my officec and we should have done better. She never stood up, never turned around, never made eye contact. Neither did Grace. Melissa Jaso refused to hear anything Constance had to say.
7) How many people in the meeting? At least 30, maybe more. We have 56 total employees.
8) Her back was to her the entire time.

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9) Was it profanity? I feel like it was, but I am not 100% sure.

10) Tone? Angry for sure. Her voice was raised, but I would not say she yelled.

11) Was she the only one sitting? The only one sitting with her back turned away.

12) Do you remember anything Grace said? Not specifically. She did not have an angry tone of voice. Just trying to stick up for her friends. It was to the effect of we should have had the training.

13) Was there any training provided? There was. It was provided to everyone in judgments and all supervisors, including Melissa's supervisor.

14) Do you remember how she interrupted Constance? But we should have had training, why didn't anyone think of us, why did we just have to come in? It was clear that no matter what Constance said, it was clear Melissa was going to bark back at her. Constance pivoted and apologized and said she will make sure she gets training.

15) Did everyone see this? Yeah.

16) Did you discuss this after? I talked to her about it because I am her admin. I apologized and said that was so awkward and so unnecessary. It was hard to see the unprofessionalism. It was also so awkward because it was the first day we had an intern. I complimented her on the ability to read the room.

17) Anyone else we should talk to? Molly the intern was very close to Grace. I never really saw her though. I remember a could of people facing her back.

18) Could the chair have been turned around? It was kind of a mini couch going in a circle. She didn't take a chair and intentionally face it away.

19) Would you have sat the same way? They could have just been turned around. I never would have sat there with my back to someone. If I couldn't turn it around, I would have just stood.

20) It was reported that another employee made a comment about how they had note received any training and that the software was not a great change. It was also reported

21) Is there any other information you believe we should know about that I didn't ask you today? Just that Shaneeka offered training to everyone.

22) Do you know why she reacted that way? Does she have a grudge against Constance? Melissa Jaso and Grace are nasty when it comes to Constance. They wont talk to her or make eye contact. I have seen her say hi and they wont say a word. They do the same thing. They make fun of me the second I walk away. They are upset Constance got the job instead of Chris. I have never seen her make a rash decision or not have an open door policy. They just don't want her there and they wont show her any respect or professionalism. I know she hasn't done anything that affects them based on the changes she has made since she has been there.

23) How do you know they make fun of you? I can hear them.

24) What do they say? Bubbly annoying tone. They laugh within seconds of me walking away. That comes with the territory of quite a few people.

25) Why is that? Because I work for Constance.

26) How did you become aware of the rub? I went to Constance and said no one here likes be or wants to engage. I am also coming from a job of 18 years where I am very well liked. Constance said it is because you work for me and think you are an outsider and that you work for me.

27) Have you ever heard of any dislike for Constance because of her race? No.

28) This is an example of how this office works. Constance said let's get office for the ice cream and the whole office saw us carrying ice cream and I sent an email to the office about ice cream, and everyone thanked me but not Constance who paid for it. Same thing happened with Chick Fil A. Everyone thanked me but not her. If were lying here dead, no one would care.

29) Any other information we should know? The people I am referring to are people who were here when Kevin Stock and Chris were.

30) Is it you and Constance against everyone else or just a certain group? I wouldn't phrase it like that because Constance is the work, they make it harder to do the work. The unwillingness to do the work. Previous employees putting in requests for our email and Teams messages. It's really frustrating for me because Constance is so classy and professional about it. I want to tell them do you know what she has done for you? She always remembers that she is an outsider and is cautious with decisions. I have not heard her say one bad thing when people were actively sabotaging the Clerk's Office. Employees also let him come into the office and he doesn't work there. Constance has endured a lot of trauma, and they don't see it as trauma. To let him sit in the office for hours is unprofessional and he doesn't work there. It is passive aggressive things like that. I guarantee you Chris told everyone his side of the story and how he got the short end of the stick.

Closing Comments:

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End at [TIME AM/PM]

July 8, 2024 – Interview w/ Shaneeka Tulloch

We are investigating a complaint of allegations of misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject.

Union Representative: N/A

1) Do you know what we're talking about?
    - Yes, felt uncomfortable at that meeting, I'm the head of judgements since she commented on that buy Constance said no it was hers, I felt attacked because she said judgements.
2) Do you know when it was? – June 11th
3) We know employee was Melissa Jason, can you describe to us what occurred?
    - What I remember, we had just implemented our new receipting program on the prior week, we had been, this is something that has been ongoing for a couple years and finally got implemented. Imperfect, but got implemented. Been doing training for months, I was involved in some meetings, Lahna in all of them, I am manager of judgement team saying need to do the trainings. Reached out to Melissa and Tyler asking if they were going to get team trained, they thought it was our responsibility to train them. I thought because it's their team they need to get them trained. Know it was said the lack of training and stuff like that and judgements got trainings and they thought it was judgements responsibility to train them even though I reached out to their managers. Felt like personal attack because judgments is my team. But I felt like something could have been said prior, why was it said in all staff?
    - Can you walk through what Melissa said?
        - Don't recall exactly what was said but it was lack of training and I know I felt attacked. I sent email to all of them after, located training documents, sent to all of them, first asked to acknowledge receipt and let me know if they had any more questions. So, nobody had anymore questions – it felt like an attack/made me feel uncomfortable. I am new, I don't know who is the responsible party for everything, who was owner of process? Me, manager, idk? Said something to Constance about feeling attacked and she said it was an attack on her.
4) Do you remember if she used profanity? Something like "this is bullshit."
    - I don't remember specifically, but it was that type of energy for me to feel attacked. Tone is everything.
5) It was also reported she might have turned her back or put her back towards Constance?
    - We have these little things you can sit on and she did turn, idk if it was turning her back to her, whole interaction felt very uncomfortable. Having to watch Constance defend herself/take accountability as head of clerk when might not have been her, if you didn't feel you were getting adequate training you should speak up right away rather than in meet with everyone.
6) Also been alleged that the way the Melissa and Grace are very rude in the way they talk to others who are seen as being tied to Constance? Kacey her admin, been alleged that Grace and Melissa in particular with talk in condescending tone, have you seen that?
    - No, still getting to know people.
7) Have you ever felt that you personally or Constance have been treated differently because of your race?

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- Had incident here where they celebrate birthdays and other holidays, the morale committee, June sent out pride and birthdays and summer, someone said something about how they didn't say anything about Juneteenth, so I replied to them and said did we forget about Juneteenth? Constance came to me and said we have problem and it was because the person I responded to went to her supervisor saying she felt personally attacked. Had to talk with her supervisor and her. Microaggressions in that meeting. Think reason she said it like that is because she doesn't know me. I am a black woman who sits in my office and doesn't socialize and gets my things done – so idk if its because of my race. The microaggression of saying I should have said it nicer. Now that I have seen that person at a concert on Saturday, she seems more comfortable talking to me because she knows me now. Really focused on upcoming audit – don't want salacious news stories. Can't say if that incident had anything to do with my race.
  - Maybe it's because I'm in my office a lot but I just don't see the things that are happening until they come to me and tell me. Wasn't my goal to come in and make friends, my goal was to come in and get my job done.

Closing Comments:

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End at [TIME AM/PM]

July 5, 2024 – Interview w/ Grace Beardemphl at 9:00 A.M.

My name is Melissa Arnold and I am the Assistant Director of HR – Labor and Employee Relations. I, along with Tina McLain, are investigating a complaint of allegations of misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject. I will be posing most of the questions today, but Tina may have additional questions for you.

We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

Do you have any questions before we begin? What's the complaint? And I don't know who about or who made complaint.

Will get into that, will ask some background and then get into why we're here today

1) How long have you worked for Pierce County? 5.5 - 6 years
2) What is your current position? Legal assistant 3
3) What is your chain of command? Tyler, up to Tonya or Constance
4) What is your work schedule, including shift and days off? Location? M-F, 8:30-4:30, CCB, Room 110
5) Do you have any idea why you are here today? No, not really.
6) It was reported that during the most recent all-staff meeting for the Clerk's Office, Constance (Started laughing "probably know where this is going") was talking about the new software that was recently installed. Knowing that, does that jog your memory at all? Yeah, there was a conversation about that.
7) What did that conversation look like? It was about the new financial system that rolled out that is like a new POS system basically. There was conversation about that.
8) It was reported an employee chimed in rather abruptly and loudly and made comments people felt were out of place or inappropriate, do you recall anything like that? Yeah, there was a conversation, that's not how that happened, conversation between Constance, guessing Melissa Jaso was other person, (Melissa: "Yes") at the meeting, Constance didn't bring it up, melissa brought it up, because Constance went around the room and asked if there were any questions, comments or concerns, like she does at every staff meeting, she went around to every person to ask them. Melissa said she did and would like to talk about the training that was involved in this, she didn't say it in a

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loud manner, wasn't disrespectful, wasn't rude towards Constance, who told us being able to bring up and talk about these things is what those meetings are for. Melissa came from spot that was yeah, frustrated, I work at front counter and was one of the first people to test it and it was hard with lack of training, it affected me too. Think it was a good conversation that needed to be talked about. Melissa didn't lash out, wasn't aggressive, and I am honestly taken aback to be sitting here right now. Want to go on record to say I am terrified of retaliation from Constance who I assume is the one that made this report. I don't feel safe, and I want to put that on record because I know this is public record and there is a history of people in our office doing public records requests for these notes. Not the first time this has happened, second time actually, and I don't feel safe going to the all staff meetings anymore, don't think they should keep happening if this is how it's going to go. I'm sorry, I'm just frustrated.

9) You said this was the second time, can you tell me a bit more about that? There were allegations that someone else was aggressive, a past employee, know it stemmed from an allegation from an all staff meeting that wasn't true. Don't feel safe attending those meetings anymore not knowing what is being said about me for attending. I am scared that I even said anything here.

10) I want to circle back to your comment that it is "clear that Constance made the complaint". I want to clarify that you aren't the only person we interviewed, this occurred at an all staff meeting so it wasn't like this was a one-on-one conversation between Melissa and Constance. I understand that. From what you have told me, just want to put it on record fear of retaliation from her if I say anything. I was at that meeting; they are the only ones who were talking. I did speak up and say my concerns, I was first one to use it in roll out, said wish I could get more training on that. I remember that meeting and she was not aggressive or ill intent.

    - Normally I save this for the end but want to say this portion now – The content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation. I also want to talk about retaliation. The County takes retaliation very seriously. Any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment. I know you don't know me, but you have my contact info, your union repo, the director of HR, but want you to now that is what HR is here for, would love immediate phone call if you feel that at any point you're experiencing any different treatment or what you feel is retaliation because of this investigation. Yep.

11) There were reports Melissa may have turned her back to Constance at some point during the meeting, but we also understand there may be mini couches that already put her in awkward body position anyways. Do you recall how she was sitting? So I was like, could see Melissa directly because I was standing because I was there when the conversation happened, but I had trickled in later, so where I was standing, could see them both. And yeah, we do have some weird little couches, but where Melissa was sitting, she couldn't have turned her back that would have been awkward to do. She was facing her. Don't recall her turning her back. Where she was sitting on the couch she was siting forward facing her. There were people all around, then couches in middle, close quarters. She was sitting on the couches facing Constance, don't remember her ever turning her back on her.

12) There were reports that Melissa may have made comments that said or alluded to, and apologize for language, “this is bullshit”. Do you remember Melissa using any profanity? No, never remember her swearing. Like I said, was she a little frustrated maybe just with the training, I think entire front counter staff was a bit frustrated, no don’t remember her swearing.

13) Can you describe her level of voice, or tone of her voice? Uhm, no she wasn’t quiet, she has a voice that projects but not like in a way, no I don’t think her voice was raised because she was upset, don’t think she escalated her voice at Constance. But mean it was quite in the room because it was the two of them really talking. Was standing across the whole room, maybe for someone standing right there it felt loud, I don’t know.

14) Did anyone else say anything at the time? I did

- Can you tell me more about what you said? Just said, because they talked a couple times, piggybacked after first time she spoke, the people that were in the trainings were the Judgements department, Shaneka, all of them. We didn’t know until 15 mins before work started and we take in 90% of the payments. Just said we didn’t see this before it rolled out, didn’t come check on us or ask any of us how it was going, could have done better as on office. I was the first one that used it, someone came in who was filing for divorce, it’s probably the worst day of her life, and I can’t figure out what I am doing because I don’t know how to use the system. Trying to help this situation but couldn’t even take her payment in because didn’t know how. We are front facing, we need to know those things, should have better communication.

15) It was again reported Melissa may have interrupted Constance during the meeting, do you recall this? I don’t remember her necessarily interrupting.

16) What was Constance’s reaction to what Melissa said? She seemed defensive – I mean, yeah. I think it probably took her back that someone said something. Think people are not inclined to speaking up sometimes about things and usually in those meetings, she goes around every time and asks, and don’t think in 2 years we’ve really had someone bring something up so it probably threw her off. Just the response I thought she had.

17) Like I said I am aware of the tension? Of the Clerk’s office, so want to pivot from the all staff meeting – You said you feel unsafe going to staff meetings, why do you feel that way? I just feel like after this, I guess maybe, I don’t know, she asks us if we all have questions and concerns and things like that and the one time someone speaks up there is an investigation, as an employee it just feels like we are there to be there. Don’t want to be accused of anything, I wouldn’t do anything to another coworkers or someone above me, I just don’t know. With everything going on in the office, you just have to think about everything. I don’t know how else to explain it unless you’ve been in Clerks office.

18) How would you describe Constance’s relationship with staff? I think she has good relationships with some people and think she doesn’t with others.

- The people she doesn’t have good relationship with, does it stem, in your opinion from her coming into this role over a long term previous employee? Uhmmm, do I believe that I spend more time talking to people that are newer that she hired, if that is a round about way of saying that, yeah. I think yeah. To an extent.

19) Is it fair to say some people in office, maybe longer-term employees, don't care for Constance as a leader. No, I don't think so. When she came in, she was greeted with welcome arms when she came into this office, got her a gift of all her favorite things when she arrived, I have personally tried to make her feel as welcome as possible. Feel like her and I in the past have had good conversations. Don't think anyone does anything to make her feel uncomfortable or unwelcome in the office.

    - What happened? Was there a shift? I don't know, I'm not so sure.
    - Did you notice a shift after Chris Hutton left and how the office/Constance treated each other? I've never seen anyone treat her wrongly or differently.
    - What about the inverse? Uhm, I don't know.

20) Anyone else to talk to? I think it'd be beneficial to talk to, because feel like it was about front counter staff, because as of who was effected, Kelly, Michael, Dawn Seddon (no longer with our office, was in judgement, at PPW), Becky (think she was standing over there too), Chris Hansen would be a good person too.

21) Anything else to tell us? I just want to say I understand that at the meeting they had a conversation, I know Melissa I work with her every day hand in hand, we deal with very tough situations all day long with the public. I just wanted to say, do I think she was a bit frustrated; I do, and think it was completely warranted. Do I think she was aggressive or insubordinate or crossed a line? I don't. I also didn't think she crossed a line because Constance said that is what this meeting is for. Constance asked us time and time again. Think Melissa was in the right for what she said, she tried to better the office as a whole. Don't think she attacked Constance or was trying to catch her off guard, truly was trying to say let's work this out. Think she could have been a bit nervous to talk about it and maybe people misconstrued that as anger. Would be honest if I felt like Constance was being attacked in any way.

22) Any questions for us? This can be public records?

    - If it's a public records request, yes. That's why I want it put on record I don't want any retaliation for speaking up and saying what I have said. Don't want to be in Melissa's position.

Closing Comments:

I would like to reremind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

End at [9:38 AM]

August 1s, 2024 – Interview w/ Grace Beardemphl at 9:00 a.m.

My name is Melissa Arnold and I am the Assistant Director of HR – Labor and Employee Relations. I, along with Jessa Latawiec, are investigating a complaint of allegations of misconduct. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Jessa may have additional questions for you.

We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

Do you have any questions before we begin?

1) How long have you worked for Pierce County? 5.5-6 years
2) What is your current position? LA3
3) What is your chain of command? Tyler Weary
4) What is your work schedule, including shift and days off? Location? M-F, 8:30-4:30, CCB
5) Do you have any idea why you are here today? Not really.
6) It was reported that during the most recent all-staff meeting for the Clerk's Office, Constance was talking about the new software that was recently installed. Knowing that, does that jog your memory at all?
    - It was about the new financial system that rolled out. It is a new POS system. There was a conversation about that.
7) Someone made comments?
    - There was a conversation and that is not what happened. I am guessing Melissa Jaso. Am I correct on that? Constance did not bring it up. Constance went around the room and asked if there were any comments or concerns to ask if anyone has anything. I want to talk about the training that was involved with this. She was not disrespectful in any manner. She has made it pretty clear that those meetings are the time to bring things up. We had no training on it. I also work at the counter and I thought it was a good conversation. I thought it was something that needed to be talked about. I would not say she was aggressive. I am a bit taken aback. I want to go on the record and say I am terrified of retaliation. I know that this is not the first time this has happened. I don't feel safe going to them. I am a good employee. I work hard for this County.

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8) Body position?

- I could see Melissa directly. I trickled in kind of later but I could see them both. She could not have turned her back, that would have been awkward. I don't recall her turning her back. She was facing forward and facing Constance. I don't remember her ever turning her back on her.

9) Do you remember her using any profanity?

- No, I don't remember her swearing. Was she frustrated? I think our entire front counter staff was frustrated.

10) Was her tone of voice raised?

- She wasn't quiet. She has like a voice that projects, but I don't think her voice was raised. I don't think she escalated her voice at Constance. It was quiet in the room because it was just the two of them talking.

11) Did anyone else say anything?

- I did. I just piggy backed after the first time she spoke.

12) It was reported that Melissa kept interrupting Constance as she was talking?

- I don't remember necessarily her interrupting.

13) What was Constance's reaction? How did she respond?

- She seemed defensive. I think that probably took her aback. I think people are not inclined to speak. I don't think we have had anyone bring something up.

14) Why do you feel unsafe going to the staff meetings?

- After this, she asked us if we have questions and concerns. The one time someone speaks up there is an investigation.

15) How would you describe Constance's relationship with staff?

- I think she has some relationships with some and not with others.

16) Does it come from her coming into this role over a long-term previous employee?

- She spends more time with newer employees.

17) Is it fair to say some people don't care for her as a leader?

- No, we got her a gift when she started.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

End at [TIME AM/PM]

August 2, 2024 – Interview w/ Melissa Jaso at 1:00 p.m.

My name is Melissa Arnold and I am the Assistant Director of HR – Labor and Employee Relations. I, along with Jessa Latawiec, are investigating a complaint of allegations of misconduct. You are being interviewed today as a subject. I will be posing most of the questions today, but Jessa may have additional questions for you.

We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: John Howell – Teamsters

Do you have any questions before we begin? Not at this time.

1) How long have you worked for Pierce County? 10 years in November
2) What is your current position? Legal Assistant 3
3) What is your chain of command? Tyler Wherry > Tonya Moore > Constance White
4) What is your work schedule, including shift and days off? Location? M-F, 8-4:30, CCB
5) Do you have any idea why you are here today? Uhm, yes regarding an all-staff meeting.
6) Can you tell me a little about it and why you think we're here? Sure, we had all staff meeting on Tuesday June 11 at 8 am, we do them every month the second Tuesday of the month. The whole office is there. Constance usually starts and says what she has, typically pretty quick, Constance started and let us know, I think she had introduced new people because have lot of new hires, then finished up with what she had, asked managers if they have anything, then asked if anyone else had anything else, questions, comments, concerns? I said I had something. We had implemented new registers into our offices, new interface new everything, I work at the front counter, so we use registers all day because we take filing fees so in the office we are the people who use it he majority of the time and we didn't receive any training of the new systems. I had never even seen the new interface. I received a logon the night before and they said it may or may not be live tomorrow. Came in and it had gone live, and front counter staff was frustrated because we didn't receive any training, judgment staff who went through the meetings and did the trainings never came over to us to check on us. When Constance said does anyone have anything I said I did and brought up the fact that we got this new system, new interface, we are the ones who use it here most and I have never seen it, no communication about it going live, the ball was dropped by the parties that had taken over this and it was unacceptable that we didn't get any training and no communication and that is just how things have been going recently. That was what I said and Constance said she had agreed and that was

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unacceptable and the ball was dropped and she uhm, then kind of proceeded to say our supervisors, so Tyler, Melissa, were supped to help us and do the training, and I replied that they did but that was the only way I knew how to use the operating system and they didn't know how to use the system either, it was a free for all and we had to figure it out on our own. She said she would get someone in there to finish training, but it wasn't ideal that she didn't even know what was going on, then another coworker Grace spoke up and said essentially the same thing I had said, agreed the way it was handled, the way it got rolled out, us as the first people that customers see when they walk in and we are using the system and didn't know what we are doing and it wasn't a great situation and went back to Constance and she was essentially saying this happened because of past staff that left the judgement section that essentially they knew the system, they left, and I said at some point we have to stop blaming staff that left, your staff that you hired gave been there for past year, they did all the trainings, they were the ones that were in these meetings, and then she got defensive and a little upset, and said you know that fine, I am the clerk of the court, do you want me to take the responsibility? Fine, I will take the responsibility, and I said as on office we need to start working together, taking responsibility for all of this, then she proceeded to uhm say that the ball, because I had used the term the ball had been dropped, and she continued to say the ball has been dropped for several years in this office, it was again I felt like she was making refence to the employees that left but also to the employes that have been there for a while that we haven't been doing their job so at that point I said I am done and I stopped talking.

7) How many people in the meeting? Probably 40.

8) In room where the old Ping pong table used to be? Yes.

9) One allegation we received was that your voice was raised and you were yelling, can you describe your tone, level of voice? I was not yelling, if you ask the people around me they could tell I was nervous because at this point it is nerve wracking to say anything in that office. Definitely not yelling. We were 24 feet apart, she was on other side of office, but I was not yelling. You can ask anyone that was there, I was not yelling. I have a louder voice to begin with, but I was not yelling.

10) There were also reports made that you may have interrupted Constance while she was speaking, do you remember interrupting her at all? No.

11) Can you describe what you were sitting on? It was this weird curved, three parts to it, not a normal couch, kind of in a circle, so I was sitting on it, if I were to sit it correctly I would be facing away, and I was turned sitting weirdly to face her.

12) Would it have been possible to sit correctly in that chair and been facing her? No, no possible way.

13) Do you recall at any point in time that you turned your back to her? No, I couldn't. It's the weirdest couch ever. I was sitting sideways so I was never facing her.

14) Were there other people on sitting on the ouch? No just me, nobody likes to sit on it, it's very uncomfortable.

15) Did Constance or anyone talk to you after? No, she never followed up with me. Before that meeting, she would never say hi or acknowledge me, but now it's even worse. She sees me in hall and puts her head down, I said good morning once and she didn't say anything back. She didn't say one thing to me this whole time.

16) Want to circle back to something you said earlier, you said its nerve wracking to say anything, has it always been like that? Was it like this under Kevin D, or just since Constance joined? No, just since Constance has joined. Since I have been here, we have had probably 20 people leave and that was not the way of that office. Once you got in that office you were there, and I have had really good friends leave. They have been essentially forced out by Constance. One going through the same thing I am going through now where you can't say anything in that office, or she'll get on you. She has said before she won't fire anyone, but she'll make them quit. I spoke up in a meeting because there were multiple people frustrated with the situation. I knew I would make myself a target for speaking up, but never in a million years did I feel like I would end up here. 40-50 people in that office who saw what happened. Feel like it is 100 % retaliation by her and I don't know how nobody sees that. I spoke up in a staff meeting and now I am here.

17) You feel going thought this investigation is retaliatory for you speaking up at the all-staff? Absolutely, 100%.

18) Anyone else you think we should talk to? Names of people basically directly around me, Debbie Auckland, Daniel Frasier, Janelle Olsen, Chris Hansen, Dawn Sedon (at meeting but has since quite and moved to PPW).

19) Any other information we should know? I think the biggest thing is she asked if anyone has anything to say, I think if anything she was defensive, she was a little raising her voice, but I also just also understand how after that happens, how she doesn't go to Tyler my supervisor and have a conversation with him to say 'hey I don't like how this went down' and then all three of us could have talked. She is big about going up the right channels through your supervisors, but she doesn't do that herself. Never had one conversation about it and then it goes directly to HR and it is 100% retaliations, I don't know how that happens and I don't know how she can do that. I don't understand. I feel like she is trying to run me out of the office. I am a good employee and I know what I am doing, I am well liked by the staff. I think she didn't like me calling something out and it embarrassed her. What if I got fired, I'm a single mom with 2 kids and never done anything wrong and I feel like I am being railroaded by her and trying to be pushed out. Never raised my voice, never turned my back on her and don't know what that means but if I did, okay, were adults. I just don't understand. Now I feel like whatever happens with this, I feel like now I have to try and get out. And I don't want to do that because I really like it.

    - One thing I do want to say is this was at an all-staff, so 40-50 people there, won't confirm or deny who the allegation came from, but important to highlight it wasn't solo interaction so leaves option that it wasn't Constance reporting it, know it can feel that way but just want to add that.

20) Anything to add at this time John? Not at this time, no.

    - Did think of one thing while going though that (retaliation policy), you mentioned it might have not been Constance who filed the complaints, but I would also depending on who it was put weight on if it was a new employee or old employee because of what is gong on down there because they may be sticking up for her or may have been asked to file a complaint.

21) What does the process after this look like? Not quite done with investigation, trying to wrap up asap, will let you know what if anything the next step is.

22) Can I ask what are potential consequences for me? Any time allegations, we conduct investigation, we look at everything that was said, then make determination if the allegation was substantiated and then if any discipline is warranted. Discipline is broad, could be just a conversation with supervisor up to the actual discipline chain which starts with a letter up to the potential for dismissal.

23) Question as far as allegations of me turning my back, don't understand why that is even something that would be part of an investigation, how does this stuff get determined. Don't understand why that is a problem, could it be rude, yeah, but does it warrant an HR investigation. Feel like this stuff that is so little is getting pushed through and again don't know if it's her but its all coming from our office. So just I guess some clarification of that?

    - Just depends, level of comfort of department, I advise those who have been supervising for 20 years and they conduct investigations and are comfortable doing so. I also have departments, Clerks office or M&O PPW for example, where they have a lot of green supervisors who aren't as comfortable or familiar with conducting investigations. Just because in HR doesn't mean the severity is higher, same could be said just because it is happening at department doesn't mean it is lower severity.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

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End at [1:37 PM]

August 2, 2024 – Interview w/ Melissa Jaso at 1:00 p.m.

My name is Melissa Arnold and I am the Assistant Director of HR – Labor and Employee Relations. I, along with Jessa Latawiec, are investigating a complaint of allegations of misconduct. You are being interviewed today as a subject. I will be posing most of the questions today, but Jessa may have additional questions for you.

We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: John Howell, Teamsters 117

Do you have any questions before we begin?

1) How long have you worked for Pierce County? Almost 10 years
2) What is your current position? Legal Assistant 3
3) What is your chain of command? Tyler Wherry > Tonya Moore > Constance White
4) What is your work schedule, including shift and days off? Location? M-F, 8-4:30, CCB
5) Do you have any idea why you are here today? Yes, regarding an all-staff meeting.
6) Can you tell me a bit about that? We had an all-staff on Tuesday at June 11 at 8:00. We do one every month. The entire office is there and it is an all-staff meeting and Constance started and may have introduced some new people. Then she finished up and asked managers if they had anything and then asked if anyone else had any questions, comments, or concerns as she always does. I said I had something. We had implemented new registers in our office, new interface and everything. I work at the front counter and use the registers all day. We didn't receive any new training and I had never seen the new system. I received a new login the night before and was told it may be live tomorrow, it may not. It went live and all front counter staff was frustrated. The judgment staff never said anything to us and they were the ones who received the new training. I wanted to bring up that we didn't receive any training and had never seen it and did not know it was going live. I think the ball got dropped and that it was unacceptable and there was no communication and that was how things have been going lately. Constance had said that she agreed and that was unacceptable, and the ball was dropped and proceeded to say our direct supervisors were supposed to help us and do the training. They did, but they didn't receive training either. It was just a free for all and we just had to figure it all out on our own. She said it was not ideal and she didn't even know it was going live. Another co-worker, Grace, spoke up and essentially said the same thing. Went back to Constance and she was essentially this happened because of past staff that left the judgment system. I said at

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some point we have to blame the staff that left. Your staff you have hired have been there for the past year. She got defensive and a little upset and said I am the Clerk of the Court, do you want me to take responsibility? Fine, I take responsibility. She proceeded to say the ball has been dropped for several years in this office. At that point I said I am done and I stopped talking.

7) How many people? 40 people

8) Can you describe your tone, level of voice? I was not yelling. They could tell I was nervous. At this point it is nerve racking to say anything in that office. We were 24 feet apart, she was on the other side of the office. I have a louder voice to begin with, but I was not yelling.

9) Interrupting? No.

10) What were you sitting on? Weird curved, not a normal couch. I was sitting on it side ways so my side was to her.

11) Do you recall turning your back to her? No, I was never facing her.

12) Were there other people on that couch?

13) Talk with you after? She has never followed up with me. She has never said hello to me. One morning I said hello and she did not respond.

14) What do you mean by nerve racking? Since Constance has joined. Since I have been here, we have probably had 20 people leave. They have essentially been forced out. She has told people before that she wont fire anyone, but she will make them quit. I spoke up in a meeting because multiple people were frustrated.

15) Retaliation? I've never had anything on my record. I am not trying to cause problems.

16) Who else should we talk to? Becky, Daniel Fraiser, Janelle Olson, Chris Hanson, Dawn Seddon

17) Anything you feel you need to add? I think the biggest thing is, she asked if anyone has anything to say. She was defensive and was raising her voice. I don't know why she doesn't just go to my supervisor.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

End at [TIME AM/PM]

Can you tell me about what you recall from Melissa Jaso at an all-staff meeting in June? It's supposed to be an open forum where we can all share whatever we see.

What do you recall? We rolled out a new register computer system. I know her name and she did speak up on it. She said I don't think the roll out was done well which is supposed to be the whole point of that period of the meetings. I have to say she was correct and it was my team that was responsible for taking the lead. I've been involved in a lot of software roll outs over the years and that was the worst one I have seen. We should have created trainings and training modules and give people using the registers real life examples. That is for when the trainings go live, people know what they are doing. The only thing we had done was make sure they had their logins. Those poor people at the front counter had no idea what they were doing. What I really wanted to do was apologize on behalf of my team because I felt bad for people at the front counter.

Was she combative towards Constance? Melissa is a loud person period. Absolutely not. I did notice at the meeting that Constance took full responsibity which I thought was odd because this wasn't a personal attack. Grace even spoke up and agreed with Melissa. No one else said anything because of the fear of speaking up. From my perspective, absolutely not, she was just trying to bring something to light.

Why did you leave? Within the first month I almost called to ask if I could come back. I only lasted 7 months and took a voluntary demotion. It is a toxic work environment and I am not one of the people who have been there a long time. Can I share with you what Shaneeka said to me. I was in her office for about an hour and a half. Towards the end she said I never wanted to be a manager. I took this government job because I didn't want to work that hard. I hear the jokes, but how dare you say that to someone who works hard and takes pride in being a government employee.

Why do you think people afraid to speak up? I feel like the toxic atmosphere is on the team or not. Constance's team. I like government work because it is inclusive and I don't feel that way at the Clerk's Office. If you're not going to get in line, the door is that way is how a lot of people feel. I came in there new not knowing anything and my attitude is that change is always good. Instead of embracing the people you have while encouraging growth and change, it was antagonistic. I don't know what her beginning was like and whether she got a fair shake. She was losing people who have been there for years and years.

Do you recall her turning her back to Constance? I don't recall that at all. You have people lined up everywhere and they have crazy furniture to eventually make into a break room. You have people everywhere facing different ways and some people sitting in chairs; not a conference room or anything.

Do you recall her interrupting? No, no. Nothing was formal, Gracie chimed in and Constance said things. No, no interrupting. Constance kept saying this is on me so there was really nothing for her to say and be cut off.

Anything else you want to share? There are a lot of things I saw in her that I wasn't okay with it. I didn't think much of that meeting anyways. I am very happy I am where I am at and glad I had the opportunity to come back.

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation. Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

Can you tell me about what you recall from Melissa Jaso at an all-staff meeting in June? It was at an all-staff meeting and she had voiced her displeasure on us changing out the financial system that we have. She made it clear that there should have been more assistance from Financial or additional training. We did have some supervisors present. I was off that day of the roll out.

Was there yelling or profanity? No, maybe even more nervous to bring it up. She asked for feedback. I don't think she was yelling, but they were across the room from each other but you have to elevate your voice a little bit.

Do you recall her turning her back to Constance? No, there was a weird couch that she was slightly angled so she was already at an angle.

Do you feel like it was something to be addressed? No.

Do you recall her interrupting? I don't think so, but that could ring a bell. As the direct supervisor I knew this was probably coming at some point. You usually feel like you have a conversation first and then move up the chain.

Has anyone from your chain of command ever approached you? No.

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation. Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

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August 15, 2024

Melissa Jaso
Legal Assistant 3
930 Tacoma Ave S, Room 110
Tacoma, WA 98402

Sent via email only

RE: Investigation Closure

Dear Melissa Jaso:

As you are aware, the Human Resources Department conducted an investigation into your alleged misconduct during an all-staff meeting in June 2024. The investigation included interviews with you and several other employees in the Clerk's Office and ultimately found that the allegation of misconduct was unsubstantiated. While there was no finding of misconduct, I want to remind you that you are to fulfill all duties and responsibilities of a Legal Assistant 3 in a professional and respectful manner and recognize how your words and tone may be perceived by others.

As you were previously advised, any form of retaliation against a person who files a complaint or who participates in an investigation is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

In addition, I understand that participating in an investigation can be a stressful experience. Therefore, you may find our Employee Assistance Program (EAP) to be a helpful resource to you. You can contact the EAP by calling First Choice Health at 1-800-777-4114, or online by going to www.firstchoiceEAP.com and using "piercecounty" as your username.

If you if you have any further questions about the contents of this letter, please contact me by email at melissa.arnold@piercecountywa.gov, or by phone at (253) 312-9663.

Sincerely,

Melissa P. Arnold
Assistant Director of Human Resources

cc: Constance White, Clerk of the Superior Court
Tonya Moore, Chief Deputy Clerk
Tyler Wherry, Legal Processing Supervisor

Jasso Retaliation Investigation

October 18, 2024 - Intake
Melissa Jaso, Melissa Arnold, Alyssa Cavanaugh

MA I'll turn it over to you.

MJ I'm here today because, obviously we just finished up with an investigation into me by CW. I want to chat about how I feel. She's been harassing/targeting me which led to the formal complaint which I feel was retaliation for everything leading into that. It was ultimately an unfounded complaint. I was in court when I first started. CW pulled in all the court clerks to start a rotation which was new. She was new here and I just asked, "why/for what purpose?" I think that set the tone for our relationship. She was very defensive and had a, "because I said so" attitude. She's had a certain opinion of me. I tend to ask questions and she doesn't seem to like that. I think it set the tone for our relationship and how it proceeded through the couple years she's been here. We all know her and Chris Hutton (CH) had a big dust up. I have an outside relationship with him and I'm best friends with his wife. I think she (CW) took that into account and treated me differently because of that relationship.

MA Does she know about the friendship?

MJ Yes.

MA How?

MJ It's pretty common knowledge in the office. Chris' father-in-law watches my son, and we talk about that. I think it was put out there that I didn't like CW because she got the job over CH but that's not true, I've never done anything to make that seem to be the case. It feels like she hit on that and would tell others that was the reason. Her assistant has said that before. I applied for a supervisory position and didn't get it which was fine. From what I heard, she pulled in others (applicants) and had a conversation. I received 30-second phone call that they went somewhere else, "thank you." That was it. It feels like I'm always treated differently. We had an all-staff meeting for any questions/comments/concerns. I spoke up and we know how that went. She made a formal complaint. I was informed through the PRR that there was no written record of the complaint which is hard to believe. I spoke up and ended up being investigated by HR. It was like a culmination of all her feelings towards me and I did something to where she could come after me and file a complaint, which was pushed through by HR. It went unfounded, but then now I see her in the office and she won't speak to me. She keeps her head down, no "hello," nothing. I will make sure I'm not alone with her, I'm not putting myself in that situation because I don't know what she'll say. She's scared? She posts on LinkedIn and I get messages, "don't you work with CW? She said she's being bullied at work and afraid of the people she works with." The people here prior to her, she's made very well-known that she wants to clean house. There's been huge turnover in this office and others have made complaints, but nothing's happened. She does whatever she likes and there are no consequences. 100%, the complaint against me was retaliation for speaking up and everything leading up to it. I've been here 10 years, I'm a good employee, hard worker, there's nothing on my record. I'm never rude to her like the narrative thrown out by

her and her assistant. I'm tired of being treated like I'm this terrible person. New people have been told to avoid me because I'm a bitch, I'm rude, I'm mean. That's coming straight from them. I don't understand how she's able to continue to do this and treat people this way with no consequences.

MA The people who were told not to work with you, who have they heard it from?

MJ CW's assistant, Kasey.

MA So someone comes to you and says, "I was told not to work with you?"

MJ They're just to avoid the older people because, "they're rude and they're bitches." That's what they're directly told on their second day.

MA Have you had any direct interactions with Kasey?

MJ Just "hi" nothing much. Obviously, I saw what she said about me in the interview from my PRR and it was not nice. She doesn't know about it, so it must be coming from CW. She (Kasey) talked a lot about CH and how I felt. Kasey didn't even work here when CH worked here, so that's clearly coming from CW. I saw she also stated that I make fun of her which isn't the case. She put out a lot of stuff that… I dunno.

MA Can you give us the names of employees who have told you Kasey told them not to work with you?

MJ Not unless I spoke to them first, I don't want to put them in the line of fire. That's opening them up for the wrath of CW.

MA To investigate, we need to be able to talk to people firsthand. If you take time to think and give us names, we would appreciate it.

MJ Not right now but 100% I will ask them. I know what that looks like if they say, "ok, I will." I don't want to do that to them.

MA How does CW interact with you now? If you're passing in the hall?

MJ If she sees me she puts her head down. She won't say, "hello, good morning." I also don't know, if I see her go into the bathroom I won't go in there. I won't be alone with her. If I do say something first, she'll respond but no, otherwise there's no contact. Nothing, no interaction. She walks right past me and goes to the back to the new employees, and I hear them laughing, joking, and talking. She comes back and puts her head down and walks right past. She's the clerk of Superior Court. Regardless of have you feel, people shouldn't know it. It's clear how she feels about the old staff. I'm not only one who she won't speak to or acknowledge.

MA Tonya?

MJ She doesn't talk to us. Unless I directly say, "hello" there's nothing. Her or Shaneeka. Shaneeka won't even respond to people if they say, "hello." So many people say, "hi" or "good morning" and Shaneeka doesn't respond to them.

MA The names of others who are experiencing this would be helpful.

MJ I will talk to them first. I won't make anybody open themselves up. Regardless of what you say, nothing happens – it comes back on us. They come and make these statements and open themselves up. This department is very protective of her and we're forced to leave.

AC Have you talked with anyone in your chain of command about this?

MJ Yes, but that would open themselves up too. Melissa, Tyler, Whitney… we have very open relationships. They know. They're less protected than we are, and I don't even think we're that protected anymore with our union.

MA How long has Tyler been your supervisor?

MJ Tyler has been my supervisor for about two years, Melissa was before.

MA How long have you known Tyler?

MJ About 10 years, I think we're both coming up on ten years next month.

MA I understand what you're going through. Retaliation is a term of art in the Administrative Guidelines for whistleblower and EEO complaints. There are very specific definitions but if it's not retaliation as defined, that does not mean it's ignored. It could be a misconduct investigation (gave definition of retaliation). Has there been an adverse employment action? Denied promotion, resources to do job, OT?

MJ No.

MA Is there anything else that you want to share with us?

MJ She's harassing me. Fine, it's not retaliation but she's harassing. That whole complaint against me, how is that not just a conversation amongst adults? She just harassed me. Even if the complaint was unfounded, there were no consequences for her. There have been more complaints against her and nothing happens. Same thing with CH. She said he stood too close and stared uncomfortably long. HR did a full-blown investigation. Other people have come forward and nothing happens. Everybody is protecting her because they're afraid she's going to sue the county because she's black.

MA Has she ever made any comments or done any actions based on race?

MJ Yeah. The complaint against me, everybody was asked if they thought it was a race thing so clearly she brought it up. Our office and the whole County did a DEI training and it said in there, the Clerk used to be a white guy and now it's a black female. Some may have questions of whether she was hired based on qualifications. Clearly that's about our office, it's always about race. You don't see me saying, "hey she doesn't like me because I'm a lesbian." I could bring it up but that's not the case. It's always an issue about black/white, diversity, this/that. It's ridiculous.

MA Was the DEI training with Raul?

MJ Yes.

MA The DEI policy states a responsibility to create dignity and respect. Would you say CW's behavior fosters dignity and respect?

MJ No.

MA Did CW participate in the DEI training?

MJ I don't think so.

MA The allegations/complaints about CW, it has been widely said that nothing has been done. However, so you know, that's the goal of disciplinary process. That if disciplinary action is taken it's kept confidential. If you think of anything else or other employees want to share, please have them reach out to me or AC.

MJ Is this written down?

MA AC is taking notes.

MJ So there's a full-blown investigation if it's not written down?

MA Yes, if we receive a verbal complaint.

MJ So, what's the next step?

MA AC and I will look at the notes and see if we can pull anything out to talk to employees about. We don't have a lot of information to go off of, so witnesses would be helpful.

MJ To substantiate my account?

MA No, it's just helpful if there are other witnesses. That's not to say that because you don't have witnesses, nothing will happen. I'm just encouraging more information for the investigation.

MJ If you guys decide to do nothing, will you let me know?

MA We would send closure letter, but we will let you know when the investigation is finalized.

MA Are you comfortable with us talking to Tyler?

MJ Yes.

MA Was there somebody else, AC?

AC Melissa Engler.

MA Are you comfortable with us talking to her, as well?

MJ Yes.

January 7, 2025 – Interview w/ Melissa Engler at 2:30 PM

[GREETING] My name is Tara Hallam and I am a Labor Relations Analyst in Human Resources. I, along with Jessa Latawiec am investigating a complaint of allegations of potential misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject. I will be posing most of the questions today, but my colleague may have additional questions for you. Given the prevalence of remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information.

Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Do you have any questions before we begin? No.

1) Have you ever been in an investigatory interview before?
   - No, I haven't.

2) How long have you worked for Pierce County?
   - 21 years

3) What is your current position?
   - Probate and Court Service Supervisor (Legal Processing Supervisor)

4) What is your chain of command?
   - Tonya Moore, Constance White

5) What is your work schedule, including shift and days off? Location?
   - Salaried, 7:30-4:30, Work in room 110 of county city building, M-F

6) Do you know why we are meeting today?
   - I do not.
   - If yes – why do you think that is?

7) How would you describe the environment of the Clerk's Office?
   - *Sighs* I mean, it's a friendly environment, all for most part get along, you hear ramblings of people who don't get along but have to take with gain of salt. I typically

hear as second hand. For the most part pretty friendly. Not a lot of bickering or arguments that take place that I have witnessed, all like to get along and get job done.

- How would you describe the culture of the Clerk's Office?
  - Do people say, 'good morning', smile at each other, chit chat/water cooler talk?
    - For the most part. Usually first person in office, like to come in early and get a little work done, but yeah as employees roll in and walk by my door I ask. Maybe not everyone does that – different sections in office. My employees I talk to more than other departments, but in passing still "hi how ya doing?" Friendly one-on-one exchanges.
  - Is that pretty consistent, is that what you see, everyone experiencing that?
    - I've had some of my employees come to me, I know of other instances that have happened, other investigations that have taken place, and ever since that happened and maybe the person that was accusing of the employee of doing something, well now they won't even acknowledge me or look at me, awkward at this point and I feel uncomfortable now, but I have never witnessed this myself, brought to my attention
  - What other people in the investigation were you referring to?
    - Her name was melissa Jaso, she was in investigation from misconduct from monthly staff meeting we had. Don't know details, wasn't called as witness, know investigation took place and herd it was unfounded, but she made comments that since happened director won't even acknowledge her. She indicated since then their one on ones or daily interactions have changed.
      - She said that to you?
        - Heard through grape vine, don't recall her coming to me.
      - Do you recall who else has reported this to you?
        - Know at the time another employee was interviewed, Grace B, and she mentioned the same thing to me, I was interviewed and since then she won't acknowledge me or say hi to me in the morning.
      - Said to you directly?
        - Yes. She no longer works here in a different department.
- Has the environment/culture changed in any way since you started?
  - I mean yeah, completely different office than it was 5, 6, 7 years ago. Honestly when Kevin, I worked under Kevin Stock for long time, when Constance came in, we were all unsure of what was gonna happen, for the most part things transitioned smoothly, but as lot of senior members began

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to leave and new staff members have been hired, it's different now. You can see there is one side of the office compared to another. For most part everyone is friendly and gets along. But you def know who is on this team compared to this team. General divide. Lost lot of seniors, institutional knowledge gone, replaced with new people, which is fine, but as those new people come in its lie they're being coached, or swayed to be like "you got all these people who are here before us, set in their way" think overturned half of the office since she started. Don't know the background, could have just been looking for change.

- When you say there is a divide, it sounds like between those who have been here for a while, is that accurate?
    - Yeah, I would say that. Not trying to say or single her our in saying she is creating this divide between old and new, you just get that vibe.

- I am aware that historically, Halloween has been a pretty big deal in the Clerk's Office. I know that I came down in 2019 after I just started and was amazed at the transformation of the space into what I think was a Super Mario Bros theme. So I am curious - can you talk to us about what happened with Halloween? Why did the Clerk's office choose to not participate this past year?
    - So, we have what we call a morale committee, and we try to plan for that. Last year it just, we usually stat planning like now, when new do those big productions because that's how much time it takes between new staff members and training new people we ran out of time. Didn't plan accordingly. When we did get around to it morale wasn't high. Just didn't seem as upbeat ad friendly as it had been in the past. Lot of people who really got into it are gone, Emma Gattis was one. Some of the other people that were here to help out, during the down time where they could chip in, lot of that was homemade, they were just gone. With a lot of newer staff members and trying to get them trained takes up a lot of new time and didn't want to place it on a handful of people to decorate whole office. Just couldn't do it as grand and over the top as we had in the past. Ran out of time.
- The morale committee – do you still have that?
    - Yeah, we meet, not set schedule, purpose is to celebrate office occasions, wedding, birth of children, once a month is potluck to celebrate birthdays for that month. At beginning of year invite people to join, make schedule about what potlucks will be, who will get cards, etc. We meet accordingly when need be. Give option if you don't want to participate if you want to you can put $25 into the general pot.

8) Do you feel like you can go to in your chain of command with any issues that may arise at work? Yeah
    - Do you feel supported by your chain of command?
    - Yeah, know if went to Tonya and she didn't have answer, actually had answer recently about switch to 40 hour schedule and personal holidays, and she didn't know answer so she gave me resources for who to reach out to. She is learning

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to, fairly new. She's doing a good job, seems to be getting in and learning and asking questions about things she doesn't know.

- What about Constance?
  - Yeah, gone to her with issues before and she was able to help me out or direct me to someone who can help if she couldn't answer them.
- Do you feel as though you can bring confidential information to your chain of command? Yeah, I don't have any issues.
- Do you feel like the members on your team/your subordinates feel the same level of support by the Clerk's Office management team/your chain of command?
  - I can't speak for them directly. Know they don't have any problems coming to me. Made it clear that any problems I am open for. If I can't find answer, not just hear to listen, that is one thing I didn't realize about becoming a supervisor is the personal side of things. Whether comfortable going above me, I would hope they are.
  - As an example, your subordinates or peers, do you think they have the same level or interpret the support they receive the same?
  - This question is meant to get a feel for the temperature of your environment.

9) It's been reported that employees have been told to avoid other employees within the Clerk's Office, specifically "the older people" because they are ~excuse my language~ "bitches, mean, rude" – is this surprising?
   - I have heard that. Heard Casey has said that to people. Nobody has reported that directly to me, but heard it, just nobody reported directly to me.
   - Have you yourself heard anyone say something similar? No, not to me directly.
   - We have also received reports that comments have been made about "clearing house" within the Clerk's Office. Have you ever heard anything similar?
     - *shakes head* no.

10) Have you witnessed anyone being treated differently within the Clerk's Office than other employees?
    - *shakes head* no. Aside from, didn't witness it but would have to take their word for it, the Melissa and Grace thing. Aside from that, no.
      - At one point had relationship with her? Do you know what the divide was? You mentioned after interview?
      - I believe it was after interview she wouldn't acknowledge or talk to her.
      - So that was with Grace, same with Melissa?
      - I think so. At one point on good enough terms that Constance brought in clothes for Melissa's daughter and since investigation it was not even going to acknowledge you or say hi.
        - I never witnessed her bring in a bag of clothes but heard form other people.
        - Sounds like this is pretty well known?

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- Kind of through the grape vine. You know you hear gossip – whether you choose to believe it or not, you know could be totally wrong its gossip. If not reported directly to me take it as grain of salt.

- In your opinion, is there a difference in the way old staff and new staff are treated within the Clerk's Office?
  - The old staff that were here, we all worked together for so long, 15-20 years of working with people, so we just don't have that now. Half of office is new within last 3-5 years, so don't have the decades of history with them. Didn't have turnover rate we had in last 3-5 years. We had been through it all, unexpected deaths, marriages, births of kids. Some closer than family. Sad to see that be gone.

- It has been reported that Melissa Jaso may be experiencing this differential treatment in the Clerk's Office. Is this something you have heard or witnessed?
  - Haven't heard or witnessed it directly.

- It has been reported that previous conflict and/or drama within the dep is communicated to new staff members. Is this something you have witnessed?
  - Mmmm, no. Like bringing up someone else's drama to new staff members?
  - Yes.
  - Not that I have witnessed, no.
  - Who?

11) Not including what you have already reported previously in this investigation, we have received reports of what appears to be inappropriate workplace conduct that is not in line with the County values within the Clerk's Office – Can you speak to this at all?

- Integrity - Be honest and ethical in all actions.
- Partnership - Collaborate to achieve common goals.
- Respect - Listen carefully, include others, and value their experiences.
- Innovation - Seek new solutions and pursue ongoing improvements.
- Accountability - Embrace transparency and measurement to drive results.
- Have you witnessed anyone within the Clerk's Office organization engaging in this type of behavior?
  - If need more, ask specifically about Integrity, partnership, respect.
  - No – would think if someone is not in line with those should be addressed and reprimanded for. Pretty common core values to maintain a smooth-running office.
  - And that's being maintained?
  - From what I witnessed yes.

- Have you witnessed any type of behavior you would characterize as targeting?
  - No.

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12) The DEI policy states a responsibility to create dignity and respect, would you say the behavior you have witnessed in the Clerk's Office fosters dignity and respect?
    - Yes.
    - Goes for all behaviors you have witnessed?
        - Don't know if I have witnessed any outright disrespect or unprofessionalism myself.
        - Heard of?
        - Not that I can think.

13) What we have here is a puzzle that we need to put together, but we don't have the luxury of the box with the picture. Is there any other information you believe we should know about that I didn't ask you today? No.
    - Temp check

14) Is there anyone else with first-hand information that you believe we should interview regarding this complaint? What does their information pertain to? Not that I can think of no.

15) Wanted to follow-up on previous question, asked if older and newer staff are treated differently and you talked about how there has been a change in staff and the group as a whole interacts differently, but have you seen anyone specifically treat the new staff versus the old staff differently?
    - Not really, comes down to everyone works together for so long, second nature, trying to get to know them.
    - People unhappy with change sometimes, don't know enough of their personal reasons for choosing to leave.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including separation from employment.

End at 3:11 PM

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January 7, 2025 – Interview w/ Melissa Engler at 2:30 PM

[GREETING] My name is Tara Hallam and I am a Labor Relations Analyst in Human Resources. I, along with Jessa Latawiec am investigating a complaint of allegations of potential misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject. I will be posing most of the questions today, but my colleague may have additional questions for you. Given the prevalence of remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information.

Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Do you have any questions before we begin? No

1) Have you ever been in an investigatory interview before? No, I haven't.

2) How long have you worked for Pierce County? 21 years.

3) What is your current position? Legal Processing Supervisor

4) What is your chain of command? Tonya Moore >Constance White.

5) What is your work schedule, including shift and days off? Location? 730-430, Room 110. M-F

6) Do you know why we are meeting today? I do not.

7) How would you describe the environment of the Clerk's Office? Friendly environment, people get along, hear ramblings about people and take with grain of salt. They're second hand, they got into an argument. No bickering.

    - How would you describe the culture of the Clerk's Office? Do people say, 'good morning', smile at each other, chit chat/water cooler talk?

        - For the most part. I am usually the first person in office. As employees walk in, walk by my office, maybe not everyone. My employees (EE) on daily basis. Some of my EE come to me, I know

other instances. Ever since that happened, maybe the person that was accusing me.

- Other instances?
  - Melissa Jaso (MJ) was investigated for misconduct. Grace [Beardemphl] mentioned that happened ever since I was interviewed.

- Has the environment/culture changed in any way since you started?
  - Ya – completely different office than 6 years ago. When Kevin Stock retired, when Constance White came in, we were unsure and most transition was smooth. As Senior leaders leave, you can see different. See there is one side of the office. General divide. Lost institutional knowledge. As new people come on, like they are being swayed to be like all these ppl before us set in there ways. Divide. Half of staff has overturned, since she started. I don't know insight – they may have looked for change.
- I am aware that historically, Halloween has been a pretty big deal in the Clerk's Office. I know that I came down in 2019 after I just started and was amazed at the transformation of the space into what I think was a Super Mario Bros theme. So I am curious - can you talk to us about what happened with Halloween? Why did the Clerk's office choose to not participate this past year?
  - Have morale committee try to plan for that. Start planning in January, between new staff and training we ran out of time. When we did get around to it and morale wasn't high, didn't seem as friendly as in the past. EG was one. Other ppl help out during their down time and chip in. Didn't want it to get placed on a handful of people.
- Morale Committee still active?
  - Need to meet. Purpose is to celebrate birth of child, weddings, etc. Donation. Once a month potluck for birthdays, etc. Will invite new ppl on committee.

8) Do you feel like you can go to in your chain of command with any issues that may arise at work? Yah
   - Do you feel supported by your chain of command? Yah – If I went to Tonya I had a question recently about Personal Holiday accrual. She gave me resource. She's fairly new – worked for the county [Thurston] as a Judicial Assist. Constance White – gone to her with issues get me what I need.
   - Do you feel as though you can bring confidential information to your chain of command? Yah.
   - Do you feel like the members on your team/your subordinates feel the same level of support by the Clerk's Office management team/your chain of command? Know they can come to me, clear any problems work related I'm open, can't find answer.
     - As an example, your subordinates or peers, do you think they have the same level or interpret the support they receive the same? Yah

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- This question is meant to get a feel for the temperature of your environment.

9) It's been reported that employees have been told to avoid other employees within the Clerk's Office, specifically "the older people" because they are ~excuse my language~ "bitches, mean, rude" – is this surprising? I've heard that Casey – but no one has reported to me.

   - Have you yourself heard anyone say something similar? Not to me directly.
   - We have also received reports that comments have been made about "clearing house" within the Clerk's Office. Have you ever heard anything similar? No.

10) Have you witnessed anyone being treated differently within the Clerk's Office than other employees? No – Back to the Melissa Jaso and Grace thing. At one point they had a relationship. Melissa Jaso, I think on good enough terms with Constance that she would bring in clothes for Melissa's daughter. This is what other people had said to me.

   - In your opinion, is there a difference in the way old staff and new staff are treated within the Clerk's Office?
     - Old staff here work together so long 15-20 years. Don't have that now. Half office new 3-5 years.
   - It has been reported that Melissa Jaso may be experiencing this differential treatment in the Clerk's Office. Is this something you have heard or witnessed?
     - No.
   - It has been reported that previous conflict and/or drama within the dep is communicated to new staff members. Is this something you have witnessed?
     - No.

11) Not including what you have already reported previously in this investigation, we have received reports of what appears to be inappropriate workplace conduct that is not in line with the County values within the Clerk's Office – Can you speak to this at all? [read Values]

   - Integrity - Be honest and ethical in all actions.
   - Partnership - Collaborate to achieve common goals.
   - Respect - Listen carefully, include others, and value their experiences.
   - Innovation - Seek new solutions and pursue ongoing improvements.
   - Accountability - Embrace transparency and measurement to drive results.

   - Have you witnessed anyone within the Clerk's Office organization engaging in this type of behavior?
     - If need more, ask specifically about Integrity, partnership, respect.
       - Would think that if not in line, should be addressed and reprimanded for. Needed to maintain.
   - Have you witnessed any type of behavior you would characterize as targeting?
     - No.

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12) The DEI policy states a responsibility to create dignity and respect, would you say the behavior you have witnessed in the Clerk's Office fosters dignity and respect?
    - Yes. I haven't witnessed any myself.
    - Anyone report that to you?
        - Not that I can think of.

13) What we have here is a puzzle that we need to put together, but we don't have the luxury of the box with the picture. Is there any other information you believe we should know about that I didn't ask you today?
    - No.

14) [JL] You talked about how the old staff had a lot of years together and you know you had more of a family dynamic compared to the new staff and there's been more turnover. But can you specifically speak to if you've seen a difference in that? The old staff and the new staff are treated by members of the office. If the management or just general members of the Office, I understand there's not much of a family dynamic, but do you see a different treatment towards those new employees versus those old employees?
        - Not really. I mean, I think it just comes down to everybody work together for so long. You just got comfortable, and you know it was just second nature. Now, you're you've got a bunch of new people you're trying to, you know, get to know them. You know, find out what their quirks are, you know, get comfortable with them. What can you talk about? What can you not talk about with them, you know? I don't think anybody's treated any different though.

    - You would also mention the increase in the turnover rate. Do you think that there's anything specific that's causing that increase? Have you heard comments of anything?
        - Not really. I mean, people that were, you know, people are unhappy with change sometimes. And I don't know enough of the specifics behind their personal reasons for quitting or going to different departments. Unfortunately.

15) Is there anyone else with first-hand information that you believe we should interview regarding this complaint? What does their information pertain to?
    - Not that I can think of.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including separation from employment.

End at 3:11 PM

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January 7, 2025 – Interview w/ Tyler Wherry at 1 PM

[GREETING] My name is Jessa Latawiec and I am a Labor Relations Analyst in Human Resources. I, along with Tara Hallam am investigating a complaint of allegations of potential misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject. I will be posing most of the questions today, but my colleague may have additional questions for you. Given the prevalence of remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information.

Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Do you have any questions before we begin?

1) Have you ever been in an investigatory interview before? 1 before

2) How long have you worked for Pierce County? 11 years

3) What is your current position? Legal processing supervisor

4) What is your chain of command? Direct supervisor is Tonya, Constance White

5) What is your work schedule, including shift and days off? Location? M-F 7:30-4:30, located in county city building.

6) Do you know why we are meeting today? No
   - If yes – why do you think that is?

7) How would you describe the environment of the Clerk's Office? Depends, lot of people known each other for long time who work here for long time together who are friends outside of work, some people chit chat and some don't.

8) Takes time to develop report, big turn over, depends on the group and

- How would you describe the culture of the Clerk's Office?
  - Do people say, 'good morning', smile at each other, chit chat/water cooler talk?
- Has the environment/culture changed in any way since you started? Yeah, natural – change in leadership.
  - Little more family oriented
  - Seemed closer group of people.
    - Now seems a little more divided when comes to people who have been here to people who just got here.
    - Noticeable difference in the vibes
    - Ex – monthly potlucks, continued throughout, Halloween big production every year, everyone used to put lot of effort into it, this year didn't do anything, no theme

9) Do you feel like you can go to in your chain of command with any issues that may arise at work? Uhm, it depends, think I have to pick and choose what I think is worth going to them for.

- Try and be transparent – middle man, if issue that I feel warrants.
- Personal stuff – don't want it to be made big production. If we can figure out on our own.
- Do you feel supported by your chain of command? In some respects, yeah. As I prove more that know what I am talking about. Tonya not been here that long – don't know each other that well yet. I brought things to table that I thought were good ideas and didn't go anywhere – but that is part of leadership.
- Do you feel as though you can bring confidential information to your chain of command?
  - Work – yes
  - Personal – yes and no
    - Minor about an individual employee and it's something minor, not something need to get others involved with
    - Yes and no –
    - Yeah I think would keep confidential.
- Do you feel like the members on your team/your subordinates feel the same level of support by the Clerk's Office management team/your chain of command?
  - No – don't feel they have put same level of effort in, work with these people and they see how hard I work.

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        - As leader have to have buy in with people around you and willing to help your employees as needed, don't think people above me have put that same level in to connect and show they are there for the individuals.
        - As an example, your subordinates or peers, do you think they have the same level or interpret the support they receive the same?
        - This question is meant to get a feel for the temperature of your environment.

10) It's been reported that employees have been told to avoid other employees within the Clerk's Office, specifically "the older people" because they are ~excuse my language~ "bitches, mean, rude" – is this surprising? No, guess not.
    - Have you yourself heard anyone say something similar? Yeah, grumblings and rumblings of what people have said.
        - Not really – not directly
        - People who just won't speak to other individuals.
            - More than there used to be.
            - Some people have expressed to me they would rather not.
            - There are certain individuals who feel like certain individuals are actively avoiding interactions with them.
    - We have also received reports that comments have been made about "clearing house" within the Clerk's Office. Have you ever heard anything similar? I haven't heard that term specifically but does feel like when in scenario like this it feels very targeted to force people out who may have opinions about how things are being done or being vocal.
        - Last with Melissa Jaso – felt like she took issue with process being put in pace, didn't feel like had support, she asked about it in meeting, never mentioned and then I end up in investigation.
        - Even if not founded – really rattles people. Hard to go to work and not think about that scenario coming again.
        - Same thing with Chris Hutton – Can't operate like that. He had been here for 20 years.

11) Have you witnessed anyone being treated differently within the Clerk's Office than other employees?
    - Yeah – seen people be celebrated who have been here for 2 months and people who have been here for 30 months not get a hello.
    - Feels like the people who have been here not long are being celebrated and those who have been here for long time are looked at like it's old news.
        - Not even common courtesies of hello.
    - In your opinion, is there a difference in the way old staff and new staff are treated within the Clerk's Office?

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        - New v old staff
        - Behaviors – Tonya sticks to self more
        - Constance - yes

    - It has been reported that Melissa Jaso may be experiencing this differential treatment in the Clerk's Office. Is this something you have heard or witnessed?
        - Blends together –
        - Her and grace interviewed for legal processing position.
        - Felt like temperature changed on them.
        - Grace Beardehmple
            - She left about 6 months after
            - Interview was roughly March.
            - Better paying job, knowing there was no where to go at that point.
        - Anybody else – maybe Casey (not a lot of interactions)
            - Most senior employees are typically working with public, Kasey not involved there.
        - Avoidance -

    - It has been reported that previous conflict and/or drama within the dep is communicated to new staff members. Is this something you have witnessed?
        - Have heard it – don't know if witnessed.
        - Who? One of first things that is given to them is who to avoid and who to trust/not trust. Heard that Kasey said it.
            - Maybe Yulisa Camarillo.
            - Just at the cubicle – not a private conversation.

12) Not including what you have already reported previously in this investigation, we have received reports of what appears to be inappropriate workplace conduct that is not in line with the County values within the Clerk's Office – Can you speak to this at all?

    - Integrity - Be honest and ethical in all actions.
    - Partnership - Collaborate to achieve common goals.
    - Respect - Listen carefully, include others, and value their experiences.
    - Innovation - Seek new solutions and pursue ongoing improvements.
    - Accountability - Embrace transparency and measurement to drive results.
    - Have you witnessed anyone within the Clerk's Office organization engaging in this type of behavior?
        - If need more, ask specifically about Integrity, partnership, respect.
        - No general examples -

    - Have you witnessed any type of behavior you would characterize as targeting?
        - In my opinion yes
        - Think Andrea Kelly – ran out of here.
            - Think the way she was treated ran her out of here.
            - Justin Joyce – took lateral with DC then superior.

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- Emma Gattis –

13) The DEI policy states a responsibility to create dignity and respect, would you say the behavior you have witnessed in the Clerk's Office fosters dignity and respect?
    - No

14) What we have here is a puzzle that we need to put together, but we don't have the luxury of the box with the picture. Is there any other information you believe we should know about that I didn't ask you today?
    - Temp check
    - No, been pretty forthright, concerned that I am part of this, and this will at some point be public.
    - This could push me out of here as well. Know hard for you to prove things we have heard.

15) Is there anyone else with first-hand information that you believe we should interview regarding this complaint? What does their information pertain to?

- Melissa Jaso
- Melissa Engler
- Whitney Long
- Grace – still a part of the County, maybe even more forthright

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including separation from employment.

End at 1:50 PM

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January 7, 2025 – Interview w/ Tyler Wherry at 1 PM

[GREETING] My name is Jessa Latawiec and I am a Labor Relations Analyst in Human Resources. I, along with Tara Hallam am investigating a complaint of allegations of potential misconduct. You are being interviewed as a potential witness in this investigation; you are not being interviewed as a subject. I will be posing most of the questions today, but my colleague may have additional questions for you. Given the prevalence of remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation. To make a determination, it is important that we have accurate information.

Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Do you have any questions before we begin? Nope

1) Have you ever been in an investigatory interview before?
    - Yup sure have. One, and one other one.

2) How long have you worked for Pierce County?
    - Almost 11 years

3) What is your current position?
    - Legal Processing Supervisor

4) What is your chain of command?
    - Direct Supervisor is Tonya Moore>Constance White

5) What is your work schedule, including shift and days off?
    - Location? M-F 7:30-4:30, Located in CCB. No remote work.

6) Do you know why we are meeting today?
    - I have no idea – why I emailed you. Normally a general idea, no guesses
    - ~~If yes – why do you think that is?~~

7) How would you describe the environment of the Clerk's Office? Umm, in what respect?

        - How would you describe the culture of the Clerk's Office? Do people say, 'good morning', smile at each other, chit chat/water cooler talk?
            - Depends. A lot people have known each other a long time/ worked together a longtime and are friends outside. Some people chitchat/do lunch/hangout, some people don't. It takes time to develop rapport. We had big turnover last few years. Depends on group/section. Unless you have more specifics?
    - Has the environment/culture changed in any way since you started? I think that's natural part of changes in leadership.
    - Can you describe what it was like prior to change in leadership?
        - I would say more family oriented, I would say. Seemed like a closer group of people. Now I think it seems more divided when comes to people who been here vs those that just got here vs the way of thinking about things. Definitely different – saw a number of years before it changed, now seen years after, things have changed. Noticeable difference in the vibes
    - Are you saying it doesn't feel family oriented or close?
        - That is accurate. Even with – I will give an example; the potlucks have continued; but one thing is Halloween. That was a big production: the work and the time it takes to put together is a lot of effort done by people outside of work hours. It was a big deal for the building. This year we didn't do anything. No theme. That was a big deal. One year I was Harry Potter, Charlie from Charlie and the Chocolate Factory – we had the big gate. So stuff like that has been lost.

8) Do you feel like you can go to in your chain of command with any issues that may arise at work?
    - Depends. I don't know. I have to pick and choose in what I think is worth going to them for or not, try to be transition – I am the middleman as a supervisor –I have direct contact w/ employees. If the issue bigger than 1-it is part of my job, I'm the guy in between. I have to be careful with what I make a big deal of or not to make a big deal of it.
    - Can you provide examples of what to bring to them? Things your comfortable w/ vs not?
        - A lot more personal stuff with people - I don't want made a big production. If it's FMLA, that's warranted. One person, I can figure out, I don't feel I want to make a spectacle of people and their personal lives.
    - Do you feel supported by your chain of command?
        - Um, in some respects, ya, I think as I get more experience in role and prove that I do know what I am talking about have direct experience and translates to bigger picture changes, I think growing, Tonya not here long – don't know each other that well yet. But you know, there's I brought other things to the table and I thought they were good ideas and they didn't go anywhere, you know. But I think that's, I think that's part of leadership. And part of, you

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know, trying to make a name for yourself and try. To make the place better. There are other logistics that go into whole office stuff.

- Do you feel as though you can bring confidential information to your chain of command?
    - Yah.
    - Personal info?
        - Yes/no. That is a hard question. Every situation is different. If it is minor about an employee and we can work through it, and like switch lunch or break time, I do not need to get other ppl involved with. I guess a Y/N, which I know is not a good answer.
    - Confidential info, feel they would keep confidential? Have confidence in how handled?
        - Yah, I think would. If it was a big deal, I don't think they go spout off, I haven't got that impression.
- Do you feel like the members on your team/your subordinates feel the same level of support by the Clerk's Office management team/your chain of command?
    - No. I don't feel they've put same level of effort in that I have. Unfair I've worked with ppl, seen how hard, still put the same level of effort in that I have in as far as you know, it's a little unfair because I worked with these people, and they've seen how hard I work and then now I'm in a different position and I still put that same level of effort in. And you know, there's buy in, right? Like as a leader, you have to have buy in with the people around you and part of that buy in is showing that you want to know the content. And you're willing to help them out? You know your employees out whenever they need. You know, whether it's, you know, helping out with lunches, covering when people are sick, you know, and then making informed decisions on top of that. And I just. I don't think the people above me have put. That same level of effort into connects with the people and show that they're there for the individual people, which, you know, I pride myself. That's a big thing for me. Like is. Is to is to show. To practice what you preach, to show like, hey, I can do this too. Like, I'm not just telling you to do something, but then I can't do it myself. Like I better be able to figure it out because I can't expect somebody else to do something that I can't do. As an example, your subordinates or peers, do you think they have the same level or interpret the support they receive the same?

9) It's been reported that employees have been told to avoid other employees within the Clerk's Office, specifically "the older people" because they are ~excuse my language~ "bitches, mean, rude" – is this surprising? Um, that people told you that? No, I guess not.
    - Have you yourself heard anyone say something similar? Yah, I mean rumblings about what people said/didn't say. Doesn't surprise me, no.
    - Employees avoiding other employees /not interacting?

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- I don't. Not really, not directly. To your point people who won't speak to other individual: They don't interact a lot to begin with, but then whatever little interactions they've had have not been pleasant. And so they just, they just choose to avoid that kind of situation. You know, it's stressful on people. When you don't know who you can talk to or. Or if somebody's gonna be rude to you, you know it's stressful and people just wanna eliminate that. They don't want. They don't want any part of that, so they just, I think, choose to avoid that scenario altogether.

- A lot keep to themselves?
  - More than used to be, I don't want to sound negative, or know what the ratio is. Some people have expressed they'd just rather not. It's sad, but part of my job to be connecting point between upper management and employee's.
- Examples or individuals creating these feelings?
  - I know certain individual who have felt people in the office have actively avoided interactions with them in passing or bathroom or walk through and saying hi to some not others, It kind varies I guess.
- We have also received reports that comments have been made about "clearing house" within the Clerk's Office. Have you ever heard anything similar?
  - I haven't heard that term specifically. Feels like when I'm in a scenario like this or last one felt targeted to force people out. They have difference of opinion how things or being done or just be vocal about it I guess
- You'd commented this interviewed and previous – feels like ways used to target individuals to force them out. Who – what people are being targeted, and who is doing the targeting?
  - Last one, Melissa Jasso: I felt like she took issue with a process that was put in place and didn't feel support. She asked about it in a meeting. As I was their supervisor – this was never mentioned again outside of the meeting except to say "that was a spicy meeting!" It was never addressed. Then I'm sitting here. This is not the way to do it: a conversation to be had. Not happen. That's how to address = other ways. Even if investigation doesn't get founded – it rattles people. Hard to go to work and not think of scenario happening again and the results did. Same with Chris Hutton when he was ousted out. He got letter [discipline], and I watched him go through the process. Can't operate like that, he'd been here 20 years. That's what I feel: using this to move people out. I don't know if that's the goal, I don't know if that's what happens, but it is the logical next step, Person will leave because they don't have to deal. My experiences. Feel like, well Melissa is still here. But knowing her and having conversation with her about her leaving because this stuff is happening, it is not right to me. Not behavior conducive to good work and good relationships.

10) Have you witnessed anyone being treated differently within the Clerk's Office than other employees?

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- Yah. I've seen people be celebrated at 2 months, and those at 30 years not even get a hello, insane to me. Feels like people that are here for not long are celebrated and touted and given keys to castle. Those have been here a long time are looked at like they are old news – no recognition. Not recognize – common courtesy of help. Goes a long way when daily interaction. Can speak for my direct employee's– they don't get that, and they know that's just how it's going to be.

- You've spoke to this a lot, difference in the way old staff and new staff are treated within the Clerk's Office - anything add?
  - No.
- Not saying hello – who?
  - Seems like new vs old. I had people tell me certain individuals won't want make eye contact, no "hi's." They didn't do anything to deserve that, and they are not being treated with level of respect that is warranted.
- Seen behavior from today?
  - Tonya, not necessarily. She stuck to herself most part. I don't think so. She's newer, she's developing those rapports with people and interactions, would say no.
- Constance then?
  - Yes.
- It has been reported that Melissa Jaso may be experiencing this differential treatment in the Clerk's Office. Is this something you have heard or witnessed?
  - It all blends together, seems like it was reported when I was told was once her and Grace Beardemphl interviewed for other Legal Processing Supervisor – they didn't get that job. Seemed like maybe temperature changed on them. They mentioned to me multiple times they felt significant difference in how they were being looked at – corresponds with other investigation. Think happened previous to that. At least that was when it was reported to me.
- How long after application did Grace end up leaving?
  - It would be 6 months; that's a rough guess – within calendar year, she's been gone since November, I can't remember when Interview was – March? I don't know.
- Did Grace comment why she was leaving?
  - Part of it is that her new job pays more – don't want to say hated, that is obviously a factor. I understand, I think she was tired of what was going on around here, knowing now there was nowhere to go because she didn't get the job. She may have felt that was her one shot. She was being treated different after that, the writing on the wall.
- Constance – Anyone else treat Melissa Jaso differently?
  - Maybe Casey, Constance's assistant, don't have a lot of interactions. Same way – not a lot of chit chat on the public facing side of office. Where majority of tenured employee's are is with the public. Not a tone of navigating into that space. Roughly same – avoidance it seems like.
- Not smiling / avoiding – other treatments towards Melissa Jaso?
  - No, I guess not, not a ton interaction to begin with, in passing most part. What little you can do in passing is what's going on there.

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- It has been reported that previous conflict and/or drama within the dep is communicated to new staff members. Is this something you have witnessed?
  - Who?
    - I've heard that. I don't know. Haven't witnessed the passing of that info. Have heard being told to people literally just start here. First thing is who to avoid/trust/not trust. Who to stick with. Heard that through the grapevine. Heard Casey was saying this to certain individuals. Maybe it was conveyed to Yulisa Camarillo – she might have been part of conversation. It was out in the open at a cube for people to hear, it was not a private conversation.
  - Who was sitting there to hear?
    - Can't remember. It was right outside my office – I didn't hear, don't who told me that.

11) Not including what you have already reported previously in this investigation, we have received reports of what appears to be inappropriate workplace conduct that is not in line with the County values within the Clerk's Office – Can you speak to this at all?

    - All those things I just told you would be examples of that. Don't have any other generic ones I can think of. Been specific in my examples. And I think that is where you are headed.

- Integrity - Be honest and ethical in all actions.
- Partnership - Collaborate to achieve common goals.
- Respect - Listen carefully, include others, and value their experiences.
- Innovation - Seek new solutions and pursue ongoing improvements.
- Accountability - Embrace transparency and measurement to drive results.

- ~~Have you witnessed anyone within the Clerk's Office organization engaging in this type of behavior?~~
  - ~~If need more, ask specifically about Integrity, partnership, respect.~~

- Have you witnessed any type of behavior you would characterize as targeting?
  - I guess depends on your definition, in my opinion, yah, based on what I just told you that is the clear definition: taking someone you don't agree with and using a system or process to remove them.
- Outside Chris Hutton and Melissa Jaso – others?
  - I think Andrea Kelly would be one who was ran out when no indication she was going anywhere else. The way they were treated when the shift took place, she was ran her out of here. I don't know. Her and Chris Hutton was power struggle because they have both interviewed some position. Justin Joyce worked here 10 years and would have worked here another 25 years: he took a lateral position at District Court and then a lateral at Superior Court. All these people in upper management – Emma Gaddis, stress and anxiety being here pushed out. I should be sitting next to her, and they don't work here. Sad. That doesn't just happen. Not coincidence unless all jobs open up.
- Outside of Melissa Jaso experiencing these behaviors, others?
  - No, not that I can think of. Have to be interactions and one side of the street or the other and pick something to bring to table isn't deemed like

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someone doesn't like it. – I don't know nobody else gone through that I can think of.

12) The DEI policy states a responsibility to create dignity and respect, would you say the behavior you have witnessed in the Clerk's Office fosters dignity and respect?
    - No.

13) What we have here is a puzzle that we need to put together, but we don't have the luxury of the box with the picture. Is there any other information you believe we should know about that I didn't ask you today?
    - Temp check
        - No, I think I've been forthcoming in my answers to your questions. You know, I will say I'm a I'm a little concerned that I'm a part of this and that this at some point will be public at some point. You know, that's the nature of the business. It's this is something that could potentially push me out of here as well. If I'm being very honest with you, like this is hard. hard for you guys to prove the things that you're trying to prove. And it you know this, this could be the beginning or the end for my career here too, because of speaking on this, just to be quite frank with you.

14) Is there anyone else with first-hand information that you believe we should interview regarding this complaint? What does their information pertain to?
    - I mean Melissa is one, I've mentioned her. I don't who you've talked to/who you will – Melisa Engler would be another one. Whitney Long other one. Not sure – Grace is still part of the County, maybe she is one too to speak to – may be more forthright because she doesn't work here.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including separation from employment.

End at 1:49 PM

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Clerk's Office Investigation – Melissa Jaso Retaliation Complaint

Timeline:

- February 2024: Legal Assistant 3 Melissa Jaso (Jaso) and former Legal Assistant 3, current Court Coverage Specialist Grace Beardemphl interviewed for Legal Processing Supervisor position.
    - As it was an internal recruitment, HR Recruiting requested Constance White (White) notify the employees. Following White's discussion with each employee, HR Recruiting sent follow-up letters.
        - 2/27/24 – Follow-up notice sent to Jaso.
        - 2/28/24 – Follow-up notice sent to Beardemphl.
        - 3/4/24 - Whitney Long promoted to the Legal Processing Supervisor position.
- 6/11/2024: Clerk's Office All-Staff meeting where Melissa Jaso was alleged to have a confrontation with Constance White, as verbally reported by Constance White.
- July – August 2024: Investigation of Jaso's alleged misconduct.
    - Grace Beardemphl interviewed in investigation.
        - "Want to go on record to say I am terrified of retaliation from Constance who I assume is the one that made this report. I don't feel safe, and I want to put that on record because I know this is public record and there is a history of people in our office doing public records requests for these notes. Not the first time this has happened, second time actually, and I don't feel safe going to the all-staff meetings anymore, don't think they should keep happening if this is how it's going to go."
        - "She asks us if we all have questions and concerns and things like that and the one time someone speaks up there is an investigation, as an employee it just feels like we are there to be there. Don't want to be accused of anything."
        - LR: "Any questions for us?"
            - GB: "This can be public records?"
            - LR: "If it's a public records request, yes."
            - GB: "That's why I want it put on record I don't want any retaliation for speaking up and saying what I have said. Don't want to be in Melissa's [Jaso's] position."
- 8/15/2024: Investigation closed with no findings of misconduct.
- 8/16/2024: Jaso submitted a PRR:
    - All records associated with the investigation into Melissa Jaso for alleged misconduct from an all staff meeting that took place in June 2024. All records from the complaint submitted against Melissa Jaso, to include the name of the person who submitted the complaint.
    - Jaso submitted a request for review after receiving the requested records as they did not include the name of the person who submitted the complaint. Director of Human Resources, Judy Archer, responded October 9, 2024, notifying Jaso the complaint was made verbally and there were no records containing this information.
- 10/18/2024: Labor Relations met with Jaso for intake regarding retaliation complaint.
    - LR explained definition of retaliation, Jaso replied "She's harassing me. Fine, it's not retaliation but she's harassing me."

- 11/1/2024: PRR submitted by Constance White:
    - "I would like all information as it pertains to an investigation that was conducted by HR Labor in regards to the alleged misconduct by Melissa Jaso. I would also like to know who initiated the investigation.
    - Request fulfilled 11/27/2024.
- 11/11/2024: Beardemphl accepted a position in Superior Court and left the Clerk's Office.
- January 2025: Investigation into Melissa Jaso's complaint of retaliation.
    - 1/7/2025: Investigatory Interview with Tyer Wherry, Legal Processing Supervisor, Jaso's Supervisor
        - LR: "We have also received reports that comments have been made about 'clearing house' within the Clerk's Office. Have you ever heard anything similar?"
            - TW: "I haven't heard that term specifically. Feels like when I'm in a scenario like this or last one felt targeted to force people out. They have difference of opinion how things or being done or just be vocal about it I guess."
            - Tyler then described how he felt as though several investigations from the Clerk's Office have appeared as though they are an attempt to "clear house."
        - "I've seen people be celebrated at 2 months, and those at 30 years not even get a hello."
        - Referring to Jaso and Beardemphl: "when I was told was once her and Grace Beardemphl interviewed for other Legal Processing Supervisor – they didn't get that job. Seemed like maybe temperature changed on them. They mentioned to me multiple times they felt significant difference in how they were being looked at – corresponds with other investigation."
        - "I think Andrea Kelly would be one who was ran out when no indication she was going anywhere else. The way they were treated when the shift took place, she was ran her out of here."
            - Tyler also stated he felt the following individuals left due to Constance/Clerk's office leadership/investigations:
                - Chris Hutton
                - Justin Joyce
                - Emma Gaddis
        - "You know, I will say I'm a I'm a little concerned that I'm a part of this and that this at some point will be public at some point. You know, that's the nature of the business. It's this is something that could potentially push me out of here as well. If I'm being very honest with you, like this is hard. hard for you guys to prove the things that you're trying to prove. And it you know this, this could be the beginning or the end for my career here too, because of speaking on this, just to be quite frank with you."
        - LR: "The DEI policy states a responsibility to create dignity and respect, would you say the behavior you have witnessed in the Clerk's Office fosters dignity and respect?"
            - TW: "No."

- 1/7/2025: Investigatory interview with Melissa Engler, Probate and Court Services Supervisor
  - "But you def know who is on this team compared to this team. General divide. Lost lot of seniors, institutional knowledge gone, replaced with new people, which is fine, but as those new people come in its lie they're being coached, or swayed to be like "you got all these people who are here before us, set in their way" think overturned half of the office since she started."
  - LR: "It's been reported that employees have been told to avoid other employees within the Clerk's Office, specifically "the older people" because they are ~excuse my language~ 'bitches, mean, rude' – is this surprising?"
    - ME: "I have heard that. Heard Kasey [Loete] has said that to people."
      - Wherry also confirmed hearing reports that Loete was saying this to new hires.

Investigation - Moving Desks

From: Constance White
To: Melissa Engler; Tyler Wherry; Whitney Long; Ayana Watson; Andrew Sawtell
Cc: Tonya Moore; Shaneeka Tulloch; Nicole Carbone
Subject: Renovation / Changes
Date: Wednesday, February 26, 2025 9:36:52 AM
Importance: High

Good morning, Team,

I would like to inform everyone that we will be attending a construction update meeting on March 7. As we prepare for this transition, it is crucial that we maintain a clear and organized process.

Please advise your staff not to relocate from their current spaces until they receive specific instructions from a member of the Leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves.

Your cooperation in communicating this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction.

If you have any questions, please let me know.

Constance

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March 4, 2025 | 11:30 AM – 12:00 PM | Meeting with Constance White (CW) and Tonya Moore (TM); Vicki Moll (VM) and Tara Hallam (notetaker)

CW: We just wanted to talk through a situation that happened yesterday morning. So, we've had a couple of people, we had someone retire. Someone left the office to go to work elsewhere, and then, we also had a vacancy. So, and all of these were LA3 positions, and we had seven internal candidates applying for in our office applying for those LA3 roles. So, we knew that there was going to have to be some movement happening as far as desks are. Just movement in general, in addition to for those positions, in addition to movement, because of our upcoming renovation. Also finding either temporary spaces for people, permanent spaces, whatever was going to happen, so we knew we knew this was going to happen. So what I did on February the 26th, before we even had interviews, we knew that the person that was retiring her last day was going to be on February the 28th. So I sent an e-mail to all the supervisors and their leadership team, saying that, I would like to let them know that, *we'll be attending a construction update meeting on March the 7th. And as we prepare for the transition, it is crucial that we maintain a clear and organized process.* I said, *please advise your staff not to relocate from the current spaces until they receive specific instructions from a member of the leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves. Your cooperation and communication, this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction, as if you have any questions, let me know.* That was sent out on February the 26th. When we came into the office on March 3rd, one of the employees was moving from one desk to another desk.

VM So let me ask you a couple of questions. Who was the employee that retired?

CW Becky Ahquin.

VM Who was the employee that was moving things?

CW Janelle Olseson.

VM And is Janelle a person that got the job? Who got the job out of the 7 people?

CW Brenda Clerk.

VM OK.

CW So, but we didn't want anybody to move because we're having to do other movements and we want, you know, 'cause, we have to find spaces for 7 other employees that we have to move out of the records section for the abatement to take place. So we didn't want any unnecessary movements. So that particular desk is, it's larger, it's bigger than the other cubicles. We had plans to possibly move our IT person in that space because he needs more space so that he can test computers. You know, because we need him to move him out of an office so we can move one of the facilitators in the office so that they're just a whole lot

of movement going on. So, we can minimize that, by sending this information out to the supervisors ahead of time. One of the supervisors responded and says *thank you for the update*. The other ones did not respond. I wasn't looking for a response. I'm just wanting to let them know. So Monday morning, we came in and we and I noticed that Janelle was moving to that other desk. I came into my office and Tonya went into that space. So that's where her office is. And so, and then I'll let TM pick up because I wasn't privy to that part of the conversation; she, Tonya, had the conversation with Janelle.

TM So I came around and I was like, *morning Janelle*. She was like, *good morning*. I was like, *what are you doing?* She goes well, *I'm moving my desk*, and I said, *well, there was a e-mail that was sent out to the supervisors that we asked nobody to move desk because of the renovation.* She goes *well, no one told me*. I'm like, *oh*, I said, w*ell, we're we don't want anybody;* I said*, this is for everybody in office. We don't want anybody to move because of the renovation. We're going to need to move people from the other half of office over here, and we don't want people having to move two or three times, we're trying to make it where people are going to be able to stay for a longer period of time.* And she just goes, *I just think you guys hate me!* And I was like, OK, I'm like, *no, we we don't hate you. I'm just letting you know. You can't move the desk because we literally need the desk space for stuff that's going to be moving because of the renovation over to this half of the office.* And I was shocked. And I was like. And then she started crying. And she's like, *I just don't understand. I was told months ago that I can move.* And I'm like, *well, I'm not sure who told you?* And she goes *well, Melissa - I asked Melissa three months ago if I can move.* I said, *well, that information wasn't communicated to the leadership team and we've been working on this renovation for months and we sent an e-mail out to the supervisors last week specifically letting them know that no one was to move desk space because of the renovation and the upcoming meeting on Friday.* Because we wanted to see what the schedule was going to be, see what the impacts were going to be and all of that.

CW And so at that point, Tonya came to me and let me know what happened, what was what was said. I then both Tonya and I went over to the supervisors and just, you know, they were all in the office together. And I was like, *hey, can you guys tell me what's going on?* And so Melissa Engler, she's like, *well, I told Janelle she needs to move back.* And I'm like, *yeah, but…*

TM …I forgot - I went in there before I before I got Constance. I'm sorry I went into so all the supervisors were in Melissa's office, so I kind of went and I peeked up my head and I was like, *hey, did you guys not notify staff that they couldn't move desk?* And they all kind of looked at me and was just like, *what are you talking about?* I said, *well, the e-mail Constance sent out last week about staff isn't to move desks due to the renovation and the meeting coming up. We didn't want anybody to move.* She goes, *oh, I don't remember seeing that e-mail.*

CW So, and that's where I pick up. Then I went, you know, from there, and I was just like, *hey, you guys got to tell me what's going on?* You know, I said *it's very hurtful to hear that an employee thinks that that I hate them,* you know. And I said, a*nd this isn't the first time that*

someone has said this. I had another employee that goes and tells somebody another supervisor that they don't want to be in this space because the leadership team doesn't like them. And I'm like, *it's very hurtful.* And I said, *and I don't know where all this is coming from. And I said I just need your help in trying to figure all of this out.* And I would. Yes, I was emotional. I was crying because this just continues to keep happening and I'm really trying to understand why. So, after that I wanted, I went over to Janelle and I told her, I said, *I don't have anything against you.* I, you know, I said - *I don't know what's going on.* She says, *well, there just seems to be a disconnect between the leadership and us.* And I'm like, *but that's what the supervisors are for. They're the ones that are relaying information.* And so, she's like, *well, can we talk in in there?* So, we moved into Tonya's office to finish our conversation. And I was crying. And she was like, *well, Constance, can I just give you a hug?* And I was like, *no, I, you know. No, we, I don't need that.* I said, *I'm just really trying to understand, and I want you to understand that I don't dislike you. I don't hate you. I don't hate anybody in this office*. And I said *and it's just hurtful that this just keeps coming up.* And I said, *I really don't want to talk about this right now.* And I left and I came over to my office. And I was like, I don't. I don't get this. So, then Janelle sends me a pop up message and ask if she can come and talk to me, and I said, this was about 8:20 – 8:30. And I said, *well, I'll be available at 9:00.* And so, she said *OK, I'll see you at 9:05.* I already had a meeting scheduled with Nicole, which was about the leadership team - she's the Justice Services Administrator - at 9:00 clock. And I felt that it was best to have a neutral party in the room, not bring TM in because TM was a part of all of that. So, I brought Nicole in and have her to sit in on the meeting and the conversation between Janelle and myself. And Janelle was apologizing, I told her, I said *I accept your apology.* I said, *there's no need to continue to apologize.* And so that's when she said again, *I just think that there's a disconnect and we're not being told things.* And I said, *well, that's the purpose of the supervisors, is as that middle management to relay information.* And I said, *no one's trying to hide anything*. She says, *well, I just think that information that we're telling them is maybe not getting to you and you're telling you're telling them things.* And I said, *well, this is what our department meetings are for. Staff meetings, Operation meetings, Section meetings*: I said, *if they're not relaying, if you're telling them information and it's not being relayed to us - Yes, I can't fix anything or address anything if I don't know.* And so, she's like, *well, I just think that there's a disconnect.* And maybe, she said, *well, I want to just, well, what can I do to help, you know, do this.* And I said, *well, I just don't think that today is a good day for us to try to iron all of this out.* I said, *give me a couple of days so I can kind of reset and then we can come back together in a couple of days. And then we can kind of talk about this better*. I said, *but I don't think today is really a big day to for us to try to figure out where what's going on and who's not relaying information.* And so, she said OK, she understood that. And she said, she said, "Well, I think that what I said, maybe it came out wrong." She said, *because you know me.* And I said, *well, yeah, you're right.* And I said, *but I also know what you said*. *But we can move on and, but I think we both need to kind of take a step back and let's get back to our conversation in a couple of days.*

The reason we're I'm asking for the meeting is because this to me seems just another reason of undermining what we are trying to do here in this office. Because it was very clear, and

we knew and knew that there was going to be people wanting to move around in the office because that's been the history of this office. When someone leaves, someone claims a spot. Well, there's more to it than that. Now at this point, previously, it really wasn't a challenge, but now that we're getting ready to move into a renovation, things that we don't have any control over time-wise and scheduling. I wanted to make sure that we got we were able to have our meeting with Construction and Facilities that scheduled for March the 7th and then the supervisors, we could all kind of come back together so that they would be able to know what we were doing. What the schedule was, based on the Contractor, and then we could plan accordingly. That was the plan and that's what was communicated to the supervisors, even outside of the e-mail.

VM: When she said, "*I just think you guys hate me"* Tonya, did she clarify who she was talking about?

TM: No, she just said "you guys."

VM: OK.

CW: I think it's just the leadership team. I said, "*what are you talking about when we say leadership team?"* And she's like, "*well, you, Tonya."* I said, "*so the leadership team is me, Tonya, Shanika and Nicole."* And she's like, "*Yeah, but, you know, I didn't mean it like that."* And I'm like, *"Well, I, OK, but that's what was said."* So. I just I just... I'm just really trying to find the best way to kind of navigate this. Because you know, there's another employee that said the exact same thing. You know, when we posted the Pre-Trial services positions, and I don't want this to be a running thing, and if the supervisors aren't communicating information, you know, yes, that's a problem. Because you know, it's to me… it's, you know, I'm trying to stay as positive as I can through all of this, and I'm hoping that this isn't. You know what? People are just choosing not to give information because even when I talked with Janelle in our meeting, I told her I said I said, *"I could go through a long laundry list of things that we're doing, but in a staff meeting -we don't have a lot of time and I don't want to just be the only one standing up there talking. I want to leave opportunity for you guys to ask questions."* But I just you know, I just need some help.

VM: It's odd that an employee would cry that she can't move. Like, I don't understand what's behind that?

CW: She, what she was telling us, was she's feeling that now. That Becky was an employee that's been here for 30 years, which is an LA3. Janelle is also an LA3, working in that same section, has been working in that same section for about three years. When I arrived here, they had started talking about she was going to retire, so she said: "*It's probably a couple of years."* So, at that point in time, I made a structure change to put another LA3 in that same section so that they could start training and gathering that information and knowledge from Becky so that we wouldn't wait till the last minute. And then Becky's leaving. And now, because I know that there's a lot that goes into that. So, prior to my being here, there were never any, there were not, there was only one LA3 in that section. When there was a promotion opportunity, Janelle got the promotion, and she was placed into Dockets to work

alongside Becky, in Dockets, to learn those things. Because I knew it was a lot of work. It was to help transfer knowledge. That's what you know, doing all of those things. So, when TM and I spoke with her, she said that she just feels like she's under a lot of pressure now that Becky's gone. She and I said, *well, all you can do is what you can do.*

VM: There's no time between when Becky left and now?

TM: No, Friday was her last day, and this happened yesterday at 7:30 in the morning.

CW: Yeah. So, I'm like, "*I don't understand*," and I'm like "*nobody's putting any pressure on you?"* She's like, "*I have to train. I have to do it".* Well, that's the role. And there are other individuals. There are two other individuals, one that got the promotion to LA3 that we're leaving in that section. She's already in that section. She already knows the job, and she's been doing it as a LA2, so it's not like she's got to come in and train somebody brand new. Because there's another LA3 there that will fill the role that is also knowledgeable. We didn't take anybody away. We thought about this process to make sure that we put someone in that second LA3 position that would be able to provide support to her…

TM: …Immediately relief.

VM: So, were there any voices raised or harsh words used in the any of the transactions?

CW: Just, I mean it was, it was just like, *"What do we do?"* I mean I'm trying to understand, you know, why would… I don't know why she would feel that we hate her? You know I haven't. I don't know what I've what I've done to make me feel that way and but that's the part… that is upsetting to me because, had your supervisor communicated this to you, we wouldn't even be in this situation because it seemed like it all stemmed from her not being able to move desks.

TM: Yeah.

VM: Right. If the supervisor had read it and then said, "*Hey, Janelle, I know I said this in the past that you could have that spot. And I know we've talked about it recently, but you know, because of A,B, and C, now we can't."*

CW: Right. Yeah, very easy. Because that's what it stands off of.

VM:, So what is Melissa - is she taking any other ownership, other than *I didn't see it*?

CW: So.

TM: No.

CW: So I'm just trying to understand what you know…

VM: So what happened? The rest of the day?

CW: Nobody talked to anybody.

TM: Nope.

CW: People were avoiding people. You know. I'm like, I don't… I don't understand. You know, we see. We see. You know, Janelle and Jenny and the little group. And, you know, we see little groups forming, you know…

TM: …the little cliques…

CW: …which isn't productive. There were three employees that just got promotions that we should all be happy for, I think. You know, I recognize everybody that had filled out that we interviewed, you know, saying how, how great everybody was, you know, but unfortunately, we only had three positions, you know, I had seven people. So, there were people that when we even talked with the ones that didn't get the promotion, you know, everyone seemed to be OK, and we talked about how we can, how they can grow and everyone seemed to be fine. I didn't get that there were any hard feelings towards anybody on Friday. When we announced the individuals that got the jobs and then, we talked to the ones that didn't. It wasn't until we came in on Monday that people I, you know, once, once again, you know, I say, *"Good morning,"* to people, and nobody had anything to say. And then, after that particular incident, that exchange, people didn't have anything to say.

VM: So Tonya, when you went in and talked to the supervisors, did you tell Melissa to tell Janelle that she can't move? Or did Melissa just said, *"OK, I'll tell her she can't move."* Or how did that come out?"

TM: She literally didn't say anything, she said, "*I didn't see the, oh, I didn't see the e-mail."* And then she's started going through her e-mail. I'm like well, we were. I said, "*Constance sent the e-mail last week. Because with the renovation, you guys know that the space is tight, and we have to move 1/2 of the office over to this half of the office. And so, we didn't want anybody to move so that we could figure out the plan after the Construction Meeting on Friday."* And she was just like, "*OK*."

CW: So, then when I went in there to talk to her, and I said, *"What's going on?"* And she said, that's when Melissa said, "*Oh, well, I told Janelle, she couldn't that she needed to move back."* But I didn't. I was trying to avoid that - you know, people starting to move and then you have to tell them that I didn't want…

VM: So, a couple of things here. You sent out an edict. One or more supervisors didn't see it. You don't need to provide them with any more rationale than you did.

CW: Right.

VM: And so, the employee made an odd statement that we don't fully understand, and it has some emotional ties to work and feels that she's had something taken away from her. Which isn't the case. And then we have the supervisor who didn't read it. One or more supervisors, and then allowed that to take place. Which the burden of this is on her. I mean, are you looking for like a global understanding of this event? Or are you looking to discipline somebody? I don't know if you have disciplined any supervisors in the past?

CW: I have not. But what I'm looking for is some, having a discussion about what needs to happen when emails are sent out. I mean I'm sending it out for a reason and a purpose.

VM: Yeah, that message is a very good one to send out to everybody. That you sent the original e-mail, in regards to what happened, "…*some of you may or may know that there was a misunderstanding about a move on Friday. And it's left some people with some hard feelings. That's why I sent this out, is to avoid all this. In the future, I would appreciate it if you would acknowledge…".*

CW: Right.

VM: *..the emails that I sent out.* I don't know if you send out one, an e-mail, once a week to them or once everyday?

CW: No, I don't. Not like that, you know. When I do send out emails to the group as a whole, I always start out with "*good morning team*" or "*good afternoon team*" - Just so that it's a trigger that this is an informational type e-mail. I'm trying to set and establish some consistency when I'm communicating with them.

VM: Right.

CW: So more is just kinda like because. There has not been any discipline to any of the supervisors but just really wanting to figure out and say and ask you kind of what would be the most appropriate next step?

VM: I think an e-mail to the parties involved. Just to say that you know that we had this event yesterday and you know it's caused some hard feelings and just want to reiterate that the decision was based on the rationale that you have and that you're sorry that the message didn't get relayed to everyone. I would leave it at that. And then I don't know if you need a broader e-mail to the supervisors and the management team to say in the future, "*For those of you who may know, there was an event that happened, and it was started because an e-mail hadn't been read and it's caused some hard feelings. So, in the future, I would appreciate it if you would read the emails that I send to you in a prompt and timely manner, and if you have any questions about the content of my emails, please let me know right away.*

CW: So, when you say when I said that as far as the first scenario, when we say that send it to those individuals affected, are you just referring to like Janelle?

VM: I would send it directly to Janelle. I would acknowledge that she came in and apologized. That's always a good peacemaking thing. And I would cc Melissa on it, and I would cc Tonya on it. I think those are the parties that were directly involved. And then I would talk to Melissa. I would have her come in and say to her that, *"This went really bad, so help me understand why."*

CW: OK.

VM: Get what Melissa has to say about it and follow it up the next day with an email that says, *"Yesterday, when we talked about, [fill in the blank], this is what we discussed, and this is the conclusion that we came to. If you have any questions about my expectations or the content of this e-mail, please let me know."* And then that's documented that twice you've had conversations with her about this event, which you've really had three conversations 'cause you had a conversation with her on Monday, but now you're going to have a conversation with her on when you meet with her and then a follow-up in an e-mail, so if there's any instances in the future that are similar in nature, you have this documented and it's she's been talked to two or three times.

CW: Got it.

VM: So, then it's really easy to go to a next step or to look at the trend, whatever it is that she's missing. But yeah, it should be acknowledged. This caused a lot of confusion and hard feelings unnecessarily.

CW: Right. Yeah, it is. It really did. So, OK. Well, that's what, that's what we wanted. That's what we just wanted, you know, kind of next steps, getting some direction and some assistance.

VM: Yeah.

CW: So thank you. I appreciate it.

VM: You bet.

Closing comments

End at ~12:00 PM

March 3rd, 2025 apx 7:40am

Tonya Moore came to my office where Tyler Wherry, Whitney Long and myself were conducting our morning check in.

She aggressively asked why Janelle was moving desks and stated an email was sent out last week about nobody was to be moving desk during the renovations and left.

I went to Janelle and apologized and told her to remain in her current location until it could be figured out.

A couple minutes later Tonya and Constance come into my office where Tyler, Whitney and I are still located and slammed the door. Constance starts aggressively stating that" Janelle and Melissa Buckman hate her and hate is a strong word. She doesn't hate anyone." She is crying and proceeds to storm off stating she can't take this anymore and is leaving for the day. This situation was happening as other employees of the office were arriving for work and could hear what was happening. Some of these employees had come to me later in the day to ask if I was ok after witnessing and or hearing this.

Other conversations between Janelle, Tonya and Constance take place that I was not a part of.

This type of emotional and aggressive behavior has been displayed at other meetings as well. During our last leadership meeting on February 19th, 2024, a binder was slid across the desk and presented to attendees. This binder was discovered in the records are of the office. This binder contained documents from cases where employees thought the names of the participants were funny. Constance proceeded to tell us how inappropriate this was and told us she had consulted with the Executives office and Prosecuting Attorney's office regarding the existence of this binder. She is very emotional with tears in her eyes during this whole conversation.

There have been other past incidents as well but honestly, I do not recall enough details regarding them to include them in this statement.

The blame for the divide in the office has always been implied that we are doing something to promote this. I just want to come to work, do my job and go home. We as supervisors are not promoting a divide between anyone in this office.

Incident Date: 3/3/25 @ 7:30 AM

Melissa Engler, Whitney Long and I were sitting in Melissas office doing our morning check in when Tonya Moore came in questioning us about why Janelle Oleson was moving desks. She kept saying in an angry and aggressive tone that Constance sent an email to the supervisors stating that employees are not to move desks. All three of us did not recall any such email. After Tonya brought up the email a few times and left we pulled up an email that was sent on 2/26/25 at 9:37 AM asking the supervisors to advise staff to not move desks but the email was talking about the upcoming construction and made no mention of employees not moving desks due to a vacated position. Constance then came over to Janelle and her and Tonya began to question Janelle about why she was moving and blaming the supervisors for not communicating that she shouldn't be moving desks. Janelle made a comment to the effect of "I feel like you guys hate me". This comment made Constance very angry and proceeded to storm into Melissas office. Tonya followed her into the office and slammed the door behind her. Constance then began to yell at Melissa, Whitney and myself about how employees in the office hate her, directing her anger at the three of us for this. She started yelling that Janelle thinks she hates her. She then yelled that Melissa Bucknam (formally known as Melissa Jaso) thinks she hates her and yelled that she doesn't hate anybody. She was so angry during this conversation that she was visibly crying. She then yelled "I don't need to deal with this. I'm leaving for the day!" and stormed out of Melissas office. Tonya left Melissas office as well but then proceeded to come back in and again started aggressively talking about the email that Constance sent. Tonya said that Jason Enloe was going to move into that vacant desk during construction, but we have had numerous conversations about construction and in every single one of those conversations Constance and Tonya said that all IT staff, which included Jason, will be moving across the street to the 945 building. And even if Janelle moved over one desk that would still leave an open desk available to be used during construction.

Constance did not end up leaving for the day, but instead took Janelle into Tonya's office with Tonya, to which I'm unsure of the full details of the conversation. Melissa, Whitney and I all stayed in Melissas office in shock that this incident just took place. After talking about it amongst ourselves for a few minutes I left Melissas office. When I walked out an employee, Joey Sonntag, came up to me and asked if I was ok. The employee stated that Constance was yelling so loud that he could hear individual words she was saying even though we were in an office with the door shut. It is my understanding that other employees also heard the commotion as they were arriving to the office. This could have easily been addressed with a simple conversation between Constance or Tonya and one of the three of us, which we then could have just asked Janelle to not relocate at this time. In the days since this incident occurred it has been talked about non stop within the office, with some employees again asking me if I was ok after the incident.

This is not the first time this type of incident has taken place. On 10/4/24 Melissa, Whitney and I were called into a meeting with Constance and Tonya in Constance's office about the Front Counter staff potentially taking in all payments for the office, which would increase the workload for that section. When I asked follow-up questions to get a better understanding of what would potentially be required Constance started yelling at us about how we don't support her and that the three of us were the reason for the divide in this office. She then began to cry while yelling at us and stated that everything that she does is for us and that she is just trying to make the office better. There was never at any point that we were questioning her or being rude with our questions. We simply wanted to get a better understanding of what this new process would entail, which is our job.

This type of situation also occurred on 2/19/25 in a Department Leadership Meeting in the Tahoma conference room on the 10th floor. At the end of this meeting Constance slid a binder across the table and said she had found it back in the Records section. The binder contained copies of documents from cases where people had names that people found amusing. This binder had been created long before any of us started working at the Clerks Office. Constance started lecturing us about how we needed to be better, and we needed to help her change the culture of the office. The three of us knew the binders existed but were under the impression that Constance had found them and removed them a while ago. The lecturing was very clearly directed at the three of us when there were 7 or 8 people total present in this meeting. This conversation again made it feel like the three of us were the problem in the office and the reason why she needed to change the culture. Constance also mentioned that she brought this information to the Prosecutors Office for them to review, which made it sound like she was exploring legal action against employees regarding this situation, which felt extreme.

I believe that the three of us are being targeted because we have worked in this office since before Constance was hired, and I believe this type of environment is being used to push more tenured employees out and replace them with new employees that don't know the history of this office. Since Constance became clerk 22 employees have resigned from this office, many of whom left due to the stress of being targeted through HR investigations or because of the hostile work environment. She has also made a "Leadership Team" that consists of Constance, Tonya, Nicole and Shaneeka and does not include tenured employees like Melissa, Whitney or myself. In emails sent to staff as well as during all staff meetings it has been made clear that staff need to speak with a member of the Leadership Team if they need anything, which bypasses their direct supervisors. This is a perfect example of Constance and Tonya creating a divide in the office, but somehow we get blamed for this divide.

We spend a lot of time in this office, and I want to work in a place where there isn't a constant threat of verbal and emotional abuse. The Clerk's Office is a hostile work environment and is not a safe place to work. At this point I don't even feel comfortable sitting in my own office for long periods of time for fear of having one of these interactions with no witnesses around. I come to work every day having to worry about if I am going to get verbally or emotionally abused or blamed for something that I didn't do or has nothing to do with me and I know that is not a workplace environment that reflects the values of Pierce County.

Tyler Wherry
Legal Processing Supervisor
Pierce County Clerk's Office

March 6, 2025 | 1:00 p.m. – 2:00 p.m. | Interview via Teams with Melissa Engler (ME), Vicki Moll (VM), Tara Hallam, notetaker (TH).

Introductions and admonishment

VM Do you have any questions before we begin?

ME No.

VM So I want to go back to Monday. And I know this is probably something you'd like to forget. Well, actually I want to go back to the e-mail. Do you recall receiving the e-mail last week?

ME So I after the incident occurred and I believe Tonya stated an e-mail was sent out, I went back to my emails to see because it just it wasn't coming up in my mind that I had read something like this. And so, I found the e-mail that it went out, I think Wednesday afternoon, and I read through it. It had started out talking about renovations and we have a meeting coming up. *We will have some updates for you.* And below that then it went into: *Please let your staff know not to move desk during this time.* I apparently just glazed over that or didn't read that portion and didn't think anything of it. I had talked to Janelle probably months ago, anticipating Becky's retirement. She had asked me if she could move over there. I had said, yeah, I don't see any problem with that. I had to reflect back to the e-mail.

VM Thank you. So then let's go to Monday. Did you see Janelle moving her stuff?

ME I saw her over there. Like, we had a bunch of retirement stuff up for Becky and she was over there cleaning it up and, you know, dusting and cleaning noticed that she was just cleaning up the retirement stuff.

VM How much time transpired between you saw her at the desk and then Tonya coming in?

ME If I had to guess, maybe, I didn't witness Tonya coming in. I would, I know in my statement I put approximately 7:40. You know, Janelle gets here a little bit around, her start time is 7:30. So I had to, I would have to guess 7:40, 7:45-ish.

VM Tell me about, and I know you've written it here, but tell me about what you experienced when Tonya came into the office?

ME So she was. She just kind of came in, you know, hastily and was like, *why is Janelle moving? An e-mail was sent out. There should be no movement* and then she headed over to her area. And so, Tyler, Whitney, and myself were in our office. And I'm like, *do you guys remember receiving an e-mail to that effect?* I believe Whitney said *no*. So, I that's when I reflected back to my e-mail. And I said, *oh, there was an e-mail sent out that does instruct no movement*. So, at that point I went over to Janelle and I said *there was an e-mail that went out. I need you to stop moving your desk. Just stay where you currently are, and we'll work this out.*

VM What was Janelle's response to that?

ME I don't know. She was just like. She's like *I need this space*. And I go, *I understand that. But an e-mail was sent out about everybody staying put during the renovation. So, if you could please just stay where you currently are located until this could be resolved.* She was frustrated. Becky was her mentor, and I can tell that she was maybe having a hard time adjusting to her being gone. This was the first day of her not being there and she had a lot on her plate. Those are big shoes to fill, and she was leading a section by herself now, that was probably weighing pretty heavily on her at that time.

VM Was she emotional?

ME She wasn't chipper and happy, but she wasn't teary-eyed or crying or anything like that.

VM And so you went back to your office. And how much time elapsed before Tonya returned with Constance?

ME Yeah, I would say maybe fifteen, 10-15 minutes later at the most.

VM And was there talk between you and Whitney and Tyler about like Tonya's demeanor when she came in for that initial conversation? Did that alarm you?

ME A little bit. You know, I felt bad that I had missed that in the e-mail and this whole thing had transpired the way it did. I feel like Tonya just witnessing that could have come to me and just said, *you know, I see Janelle's is moving into the space. An e-mail was sent out. Addressing this and I see she's moving*, and at that point I would have referred back to my e-mail and I said, *oh, I'm so sorry. I'm I overlooked that. Let me take care of this* and have Janelle stay where she's at.

VM So did Tyler and or Whitney have any words in between Tonya leaving and then Tonya and Constance coming back, about this event?

ME Not really. I mean, we just kind of continued on our normal conversation. Typically, every morning we get together and talk about you know, *what do you guys got going on your agenda for the day? I'm working on this*. We were all a little shocked. Just I don't wanna say that Tonya was aggressive, but you know, it was like first thing in the morning. She's in here going, *what's going on? You guys were instructed not to do this. An e-mail went out.* And then she proceeded to go back to her office. So, we were just a little taken back by it, but I don't recall any conversations that we had regarding the situation.

VM And so then let's go to the Tonya and Constance come into your office.

ME Yes. They both walked in together. The door was shut. I don't. I don't know who shut the door. It was kind of loud. The doors here are kind of loud. I don't know if it was slammed on purpose but, Constance just starts out the conversation with, *I hear that Janelle and Melissa Buckman hate me. Hate is a very strong word. I do not hate anybody* and at this time she's very emotional, very aggressive. There are tears in her eyes. And says *I can't take this anymore. I'm leaving for the day* and storms out and Tonya follows behind.

VM Did Tonya say anything in that second episode?

ME No.

VM Did Tonya have any facial responses?

ME She just kind of turned around and followed right behind Constance.

VM And did any of the three of you get a chance to say anything?

ME No, I think we're just kind of in shock. We didn't really know what to say other than *wow.* I mean, I I I can't recall exact details of what was said, if anything.

VM Was Constance in your office for longer than a minute?

ME I would say no, no longer than a minute.

VM So you say that you were in shock, but you didn't say you were surprised?

ME Well, we've witnessed this before from her in past meetings. I think I touched on that in some statements. You know, she can become aggressive and very emotional. And in that setting, for me it it's hard for me to even try to respond to something like that. I don't want to speak up and make things worse. I did it once before in a meeting where I can't even remember what the meeting was about, but but kind of the same. I was…it was something to do with *you guys are turning the office against me.* You know, there's conversations that are happening and I had made a statement to the fact like, *I don't really think these conversations, or these statements are coming from us*. Referring to Whitney Tyler myself and she's like, *yes, they absolutely are coming from you.* So after that I just kind of decided, you know, it's not worth my emotional state to try and respond to anything. Let her say what she needs to say to get it out and and try to move on from there.

VM Do you have any idea the time frame that last statement was made, "Yes, it was absolutely coming from you"?

ME Oh, I have no idea. It was during one of our Operations meetings, I'd have to refer back to my calendar.

VM Longer than six months, or about six months or a year or?

ME No, I would say with there was within the last three months.

VM Did she ever give you any other information than *is absolutely coming from you* and she she wasn't referring to you? Or did you take it that she was referring to you? Or did she meant you all or?

ME She was referring to us three supervisors. That's absolutely coming from you guys.

VM Did the three of you have a chance to talk about that at any point?

ME Not really. You know, we try to just move on from it. Put it behind us and and hope that we can grow from it and and that seems to be becoming a pattern where these things happen,

you know, and it's kind of on edge for a while. And then we move on for it this up and down emotional roller coaster of OK, everything's OK. Now we seem to be getting along. And then something else happens and it's this aggressive emotional outburst from her, and then we're back to square one and then you know, everything seems to be going OK and then it happens again. And honestly, I'm just. I don't know how much more we as supervisors can take, you know, we seem we seem to think we're on, we're headed towards a a positive path, and it keeps happening. And I just think there's there's better, less emotional ways that it could be dealt with.

VM Did Janelle have any more questions for you after you relayed to her that she could not move?

ME No.

VM Anyone else come to talk to you? From what I understand, it was kind of loud.

ME At the time this was all going down. You know, there were other employees that had started arriving in the office and where my office is situated, It's right in the middle of the office and it's one wall with tons of windows. I call it the fishbowl. So everybody can see and everybody hears what's going on. So there were other people. Joey Sontag came to me and said, *are you OK?* And I said *yes, I'm OK.* Trying to think of who else you know, as you know, gossip gets out, you know, and as the weeks progressed, news has traveled. So there have been other people from even other departments that have checked in with me to make sure I was OK, which was very heartfelt. I'm typically not a very emotional person, so around 2 witnesses was was being... [crying]

VM OK. Do you have a something you can drink there? Just take a moment.

ME [crying] Yeah, you know, and unfortunately this isn't the first time. It just happened to be the first time that somebody else has witnessed it. You know, and I kind of had to say that, you know, *thank you. I appreciate it.* It's not the first time, but.

VM Is there anyone that you think would feel comfortable talking to given resources about this event?

ME I think Joey would. There could have been other people that witnessed it. You know, I was just kind of in shock. I wasn't really paying attention to who it arrived, who wasn't here yet, you know.

VM Any idea who is Tonya's biggest ally is in the office?

ME I would say Constance.

VM And then Constance's biggest ally?

ME Well, I would assume anybody on her leadership team: Shanika, or Nicole, and her Administrative Assistant, Casey.

VM Of those three women - has Nicole been here the longest or Casey?

ME Casey's been here longer than Nicole.

VM And then Nicole's been here longer than Shanika?

ME That's a tough one. I'd have to look back on. We have an internal Excel spreadsheet of hire dates for people so we can keep track of it. I can look at that real quick if you want me to.

VM Sure.

ME So Shanika came just a couple of like a week before Nicole did.

VM And I know that Constance has been here the rest of the week or since this was transpiring.

ME Yes, right, she did not leave. Not that I noticed. She was here later that day that I saw.

VM OK. Any conversations with Constance since then or?

ME On Tuesday, I did go into her office in the morning regarding an e-mail we had received. With just asking some clarifying questions for her and it was fine, you know, back to everything's fine. Like nothing had happened.

VM And is that what you have experienced thus far? Is when an event takes place that there's a *blow up* - my word. No one elses.

ME Yeah, you know, she's and then yeah, like we've moved on. Let's forget about it. You know she likes to use the word "clean slate." Let's start with you know, there was the incident I talked about with the binder. Everybody's got a clean slate after that incident. I went in there and said, you know, I've been here 20 years. I've was aware that the binders existed. I thought they had all been confiscated. As far as I know, there were only three binders and just, you know, wanted to kind of clear the air about the binders. And she's like, OK, thank you. You know, just cheerful, like, no big deal. You know, but in the Leadership meeting, when she's very emotional and tears in her eye again, this whole aggressive speech about how inappropriate it is, which I don't disagree. Yes, the binder is inappropriate, but something that was put together…

VM They were in existence prior to her being here, correct?

ME Yeah.

VM So with being emotional and teary-eyed - how frequently does that happen?

ME It's happened those last two times that I can think of these last two episodes. You know, it's it's…

VM That in a four-week period or not in a eight week period or what is that?

ME Yeah. Well, well, let me see. Trying to think of when that our last leadership meeting was. So our last leadership meeting, I believe was January 15th and it seems like there would have been another one. I feel like that's two leadership meetings ago, OK, February 19th was the leadership meeting. I believe that's when the binder incident occurred.

VM Oh 2024. Binders were just talked about this year?

ME Yes.

VM So I put the binders were talked about *last* year.

ME No, the binder. Pretty sure that blow up about the binders was in February of this year. Yeah, it was recent.

VM Was there any other prior conversation about the binders?

ME Not in any of our not that I can recall in any of our on any of our leadership meetings or operations meetings.

VM She was emotional about that cause apparently, and I'm kind of filling in the blanks here. She may have thought it was a reflection on her or emotional about it for some reason.

ME She had gone into a statement about a letter that was found in one of the previous binders is one of the other binders, not the one that she had provided us with on this date, but one of the other binders that was found and it had a letter from a gentleman that was in custody in a prison and it was a letter to his mother. And her, being a mother of sons, you know, made her emotional in speaking with it about how this this letter never made it to the mother, and it's going to be my mission to track down this woman and make sure that she gets this letter that her son wrote her from prison. And I mean, yeah, it's just. I mean, it was just kind of the story on set, you know, off of this letter that was found in a binder.

VM Was there a date on the letter?

ME And not now. I don't. She didn't. She didn't have it. She was just using it as an example.

VM When so, would you say you've seen her emotional on the verge of tears? A dozen times or six times, or four times?

ME I would say. Including these two instances, I would say two to four times. Maybe not full tears, but visibly upset that uh, regarding something.

VM Does she acknowledge her emotional state?

ME I mean, what do you mean by that?

VM Like, *I'm sorry, I'm getting. I'm sorry. This is upsetting to me* or like *I need a moment?*

ME No, not really. I mean like for this last incident, she just kind of wiped her tears away and stormed off. I mean, she doesn't say I'm so sorry. I'm emotional. This really hits home with me or anything like that.

VM That must be confusing.

ME Yes.

VM So let's go back to the event to Monday and who's responsible for this event in your opinion?

ME Who's responsible for the event? Who do I feel is responsible for the event? Well, from the very beginning, I feel like Tonya walking and witnessing what was happening could have come to me and just said kind of like I said, *I see Janelle's moving. The e-mail was sent out. Can you tell me why this is happening* and at that point I would have, like I said, reflected back. *Oh, I must have overlooked that. Let me talk to Janelle. Make sure she's aware that she's not supposed to move.* You know, and just I feel like Tonya initially started the event. I know, like Janelle has also made it be known that the comment she made, and I wasn't in there when the comment was said about what do you guys do? You guys must hate me. She even told me she's like *I shouldn't have said it. It was my gut reaction. I was having a bad day. I wish I could take it back.* That is not like my character to say something like that, and I'm like, well, you said it. It's nothing we can do now to take it back. And in that instance, you know, I don't know. I don't know how Constance got involved with it. I'm assuming Tonya went and talked to her about what is transpiring and that's how they all ended up in my office.

VM So when you're in the midst with the answering the question, you know *why is she moving* and you're like, *oh, I, you know, I I'll talk to her* whenever you were, did you think it was over or did your initial reactions like, *Oh no, what's going to happen from this?* What were you feeling at the moment?

ME I was feeling like I'm gonna go talk to Janelle and she's gonna stay where she's at right now. End of story. I didn't anticipate any additional thing happening from it. End of story. I didn't anticipate any additional thing happening from it.

VM Do you think that Constance owes you or the other supervisors any conversation related to this?

ME I mean. At this point I don't know. I mean, we've had these ups and downs for so long and at this point I just don't it. It feels different with this one. For some reason it's it's now come to the point where there's an investigation. I just feel like there's really no turning back at this point.

VM What does that mean to you?

ME Oh, I don't know. The other times we've just been able to kinda put it behind us, move on, you know, and everything's OK for a while until something else happens. But none of them have led to like a full-on investigation, where supervisors are now, you know, complaining to HR about aggressive conversations and emotional conversations being had, you know It can't continue to happen like this. The mood in the office, you know, it's it's up and down too. Based on seems to me based on what her mood is. You know we as supervisors. Is she here today? What kind of mood is she in? You know, I have to talk to her about something. Is she in a good mood? Has anybody seen her? You know, and it's just like we just never know what we're getting sometimes.

VM Do you believe that she targets people who had a lot of turnover in your department so?

ME Yeah, I think so.

VM Do you have any basis of why she would target someone?

ME No, I mean back at the very beginning, I feel like she targeted Chris Hutton. She felt threatened by him in some way. Maybe for his length of service there, I don't know. I know an investigation was done. It was unfounded from what I have been told, and he was suspended for a week regardless. So, I feel like everything tends to be taken to HR where you know, maybe conversations just need to be had internally. If you look at the turnover in this office. I mean…

VM When you say everything is taken to HR - she takes it to HR, or everyone's taking it to HR, or, who's taking it to HR?

ME I think it's different people, you know, report stuff to HR. As somebody who's worked here for 20 years, there was never turnover. There were never investigations like there have been in the past 2 1/2, three years for people being investigated by HR for. I don't even know what I don't. I don't know enough of the details about them. You know, you just hear *this investigation is going on.* You know, it's, it's all hearsay. I never have really been a witness. And Tara, I think in our last conversations, I kind of touched on that you just you hear stuff through the grapevine. But it's never stuff I've been actual witness to. So, you have to just take it with a grain of salt. And assume it's being handled the correct way, but…

VM Chris - Is he the one that told you that the allegations were unfounded?

ME Yes.

VM How long did you work with Chris? Did you said you've been here 20 years? Was he here? Did he have that long of tenure as well?

ME He was here when I got here.

VM Did you have any concerns about Chris and any of his roles here? Are you aware of anyone else having any concerns about Chris during this time here?

ME No.

VM That audits that have gone on recently - well, last year I guess, and recently - who's to blame for that, in your opinion?

ME What?

VM The audit findings.

ME Are you talking about like the financial section. I'm assuming the auditors, whoever came in, and I mean we always…

VM But like if they had findings against Pierce County. And so, if you don't do work in that body of work, that's fine. But if you do…

ME Yeah. No, I don't. I mean I it seems like every year you have your state auditors and your County auditors that come in and audit the financial section. It's gone on for the 20 years I've been here. I don't.

VM Has there ever been findings in? I mean, I don't know if you're familiar with what like was reported in the News Tribune?

ME Well, I remember the news articles that had come out and that's the first time in my 20 years of working here that any news articles had ever transpired from audit findings.

VM Were you surprised that the audit finding?

ME I guess I mean, like I said, they've never been made, been made newsworthy before. If any negative findings in the past had been found and they never made the news like they did this time.

VM Are you actively looking for other work in either Pierce County or outside of Pierce County? Because of these events?

ME Yes. Not seriously, just kind of putting some feelers out there. But not like submitting applications or anything like that yet.

VM OK. Is that because of the relationship or the environment in the office?

ME Yes.

VM Do you know if Tyler is actively looking for work inside Pierce County or outside?

ME I don't know if he's actively, you know. You comment, like, *this is enough*. You can't take this anymore. I really need to start looking for something else, but with him I don't know. I really don't know.

VM What about Whitney?

ME No, I don't think so. I think she was happy to get her supervisor's job. She's been a supervisor for only a year. So, it's new to her, something she's wanted for a long time.

VM Do you need a moment?

ME Yes. [crying] Just tough. I always loved coming to work. My husband had always commented about my work ethic and *why don't you just call in today?* And I said I just can't do that. I love my job. I don't I wanna call in. Why would I do that? You know, even during all this, he's like, you know, *there's other people that can do it.* And I'm like, that's not fair. I see myself, you know, retiring from the County. I've got another nine years and if it has to be in a different office, so be it. But I like working for the County.

VM When I asked to ask you if you believe that Constance targets people, you said yes and then we went into a conversation about Chris. Do you think that she targets people based on anything in common?

ME Hmm, no. Maybe pushback that they give? We had a staff meeting and I know the Melissa Bucknum name has come up and you know, we've had staff meetings where it's an opportunity to say what you need to say, you know, goes around the room and that was when we got a new financial system. And she had made a comment about training, she didn't feel like she got the training that she needed and kind of just gave her a little push back on it, and Constance admitted that you know the training, she owned up to that, that there could have been more training, you know, and that's on her. She stated that, but at at that point, somebody then started an investigation against Melissa for the comments that were made in a meeting, I mean it just seemed unnecessary. That was what that platform was: you go around the room and you ask questions or comments about what's going on in the office, and then you know, she gets in trouble for speaking up. You know, that's kind of the way I I took it.

VM Do you remember anything about her behavior that you would come across as disrespectful? And I know that you've answered those kinds of questions about that event before, but do you recall, for my notes here, if she exhibited an appropriate or disrespectful body language or word?

ME No.

VM Is Melissa still in your department? Is she an LA2?

ME She's an LA3 She actually just took a new role as an LA3 for Kelsey's departure. She's now learning the probate adoption guardianship stuff in our area. She was previously a front counter worker.

VM Kelsey's still with the County?

ME She is. She works for Superior Court now.

VM So in your 20 years, 'cause I had a chance to review some of the people that have come and gone from the department, and it seems like there's a handful or more that have transferred to Superior Court: Is that the way it's always been then?

ME Mm hmm, no, not necessarily. It's an easy transition 'cause we work so well together, you know, we're the record keeper for Superior Court. So, the work we do is goes hand-in-hand. So, for them to transfer to, for our employees to transfer up there, it's an easy transfer. You know, we use the same operating system. We're familiar with the paperwork. And that would go for people that could possibly transfer down to us as well from their office if they're looking to move.

VM Are you aware of any issues that Kelsey may have had with either Constance or Tonya?

ME No.

VM The meeting to talk about construction movements happening tomorrow. Are you a part of that?

ME No.

VM Do you have any other opinion about why this went south so quickly?

ME Not really. I mean, it just seems all so unnecessary. It's a conversation that just needed; a calm conversation that just needed to have happen. It was just a misunderstanding all the way around and it just escalated so quickly for no reason in my mind.

VM So with Tonya, you report to her and have for the year that she's been here. Is her behavior changing 'cause you you mentioned she came in *aggressive* or *kind of hot*. My word again, nobody else's.

ME That's the most aggressive I've ever seen her. She's usually. She comes in, she's in her office for most of the day. I can go to her if I need to. She's usually very pleasant. We have monthly check-ins but it's just very casual. *What's going on? What are you working on?* That kind of stuff. You know nothing as aggressive as it was on Monday. And it really wasn't that aggressive. It just it's the most I've ever aggressive I've seen her, and I guess it would be your interpretation of aggressive. I didn't feel threatened by it, but it's the most worked up I've seen her.

VM Is there a lot of pressure going on in the office these days? An unusual amount?

ME I think for the supervisors and in general and it kind of all has to do with the turnover, if you look at the turnover in our office, the staff is half of this office is new within the last two or three years. So, we've lost a lot of that institutional knowledge. And so, the newer employees just don't have that that knowledge to get the job done as quickly and as efficiently as it was in the past. So yes, we're running around. We're picking up the slack, so to speak, and I know you know, Constance and Tonya have made comments about *you guys shouldn't be doing the work*, but my mindset is I'm not going to let my employees fail and fall behind. I'm going to get in the trenches and help them out. So they're not struggling. You know, I'm going to do what I can to support them until, you know, they get that that knowledge behind them to where they can quickly and efficiently do the work that needs to be done here.

VM So do you have the like the top three reasons in your opinion why there is such a high amount of turnover?

ME Top three reasons?

VM Yes, unless you wanted to give me more?

ME I don't I wish I could, I mean. I think it all started, you know, with when Constance came on. People just weren't happy that it wasn't filled by somebody internally, which has been the status quo in this office for from what I heard from when the onset of time. People tried

to work with her. You know, I never had any problems at the beginning. I really couldn't give you top three reasons. I I I just can't.

VM I appreciate that. Did people in the office give Constance a fair shake or a fair chance when she got here? You mentioned that some may have felt that someone else should have been selected.

ME Yeah, I know. I wasn't included in this, but I know you know a few of the other what I would call leaders at that time, or other managers or supervisors had taken her out to lunch or, you know, taken her out to dinner and Andrea Kelly was the Acting Clerk when she came in here and I heard Emma, and maybe even JJ, from what I've heard, Justin, just lunch dates and tried to get her accustomed to the office and get familiar with surroundings and stuff like that.

VM So you didn't know of, or witness anyone actively ganging up against Constance?

ME No.

VM So the three people that you just mentioned, they're no longer in your department?

ME Correct.

VM Do you know why?

ME I know Emma RC7 for the way she was treated by Constance. She's told me that directly. JJ was our fiscal manager, I feel like he tried to work with Constance, but she never sat down with him to learn like the insurance and out of the financial system. And when the opportunity arose to work for Superior Court with their fiscal person retiring, he jumped on the chance to move out. Andrea Kelly, too, RC7 related to how she was treated by Constance. Nothing that I could ever witness just this is just what I've heard from her. I know that they've had conversations, possibly with HR, I know Emma went and talked to the Execs office at that time about what was going on when she was leaving. I feel like some of the people that have retired here retired sooner than they wanted to. Becky included. Becky's last day was Friday the 28th and I think she would have stayed longer had the morale in the office not been so bad and she wasn't happy with the way the office was being ran. I think a lot of the retirements that have happened recently are just sooner than the people, people retired anticipated retiring.

VM Did Becky report to you?

ME Yes.

VM What did you do for her retirement day? And what did Tonya do? And what did Constance do for Becky?

ME Becky does not like to be the center of attention. She did not want anything. But being that it was 30 years with the County, we felt like we should at least do something. Janelle kind of did put together a little spirit week with different clothes to wear, you know, pink day, polka dot day. People had brought some food in. There was also Kelsey's last day, and one

thing that was brought to my attention is Kelsey was given a bouquet of flowers or flowers of some sort for it being her last day from Constance. And Becky said that *Constance never even wished me well or congratulated me in person or came to me on my last day and said anything.* And I think at that point she was just glad to be gone.

VM Where was Tonya? Engaging with Becky at all?

ME I don't believe she did.

VM Tara, do you have any questions?

TH [Asked more details about binder incident]

ME At this meeting [Feb 19, 2025], we get an agenda. And kind of at the end of it, she slides this binder out and proceeds to talk about how she was back in our records section, I don't even know what she was doing back there, but she had saw another employee fumbling around with this binder and kind of went over to see if she could help her with it, and the employee said *no, no, no. I've got it*. Just kind of closed it really quickly. And Constance said she didn't think anything of it, but she did think it was a little weird. And had said that later in the day. I don't know if it was after everybody had left or whatever. She went back to find the binder and had found it in a drawer, kind of buried under some other stuff, and realized it was a it's a binder of documents from public case files where maybe one of the parties had a goofy name or something employees thought was a humorous name and had compiled this binder of names. And then proceeded to go on about how inappropriate this was. And you know, *I've talked to the Execs office. I've reached out to the Prosecuting Attorney's office about you know, having something like this could ensue charges against the office* and honestly, I don't know how that could happen. There were mostly public documents. They're not subject to any sort of confidentiality, breakage or of any sort. They're documents filed in public cases that anybody would have access to. And kind of proceeded, go ahead…

VM Was binders on the agenda, or this was just at the end of it the meeting?

ME I don't believe it was on our written agenda.

VM You keep copies of those agendas?

ME They're sent out in an e-mail, yes.

VM Can you forward it to me for that day?

ME OK.

TH And I believe you said earlier, and I just want to confirm somewhere in my notes, I believe you said this is the first time that this had been brought up in a meeting or talked about, is that correct?

ME Yes, the the binder, yes.

TH Thank you.

VM Do you know where the binder is now?

ME I'm assuming Constance has it? If she's still has it, or destroyed it, I don't know.

TH Those are all the questions I had Vicki. Thank you.

VM Do you know how to reach EAP? I'm flipping hats here from my *question asker* person, to *HR*. Do you know about EAP?

ME Yes, yes.

VM You know how to make make contact with them?

ME Yes

VM OK, excellent. I also want to talk to you about retaliation. So, retaliation is viewed differently than what the things that we just talked about.

ME Yeah.

VM So if you believe that you are experiencing retaliation in any form because of your bringing this forward to HR because of, you know, the conversations that we just had, you need to bring that to our attention right away.

ME Definitely.

VM You said you aren't fearful or I'm not sure if you're scared or afraid?

ME No.

VM Are you afraid to be alone with either Constance or Tonya, or alone with Constance *and* Tonya?

ME No, I'm not afraid. You know, after these incidents occurs, maybe a little uncomfortable. I just want to put it behind me. Move on. Let's think of the positive. Let's move on from this and another day, let's get back to the positive side of things.

VM What are you gonna do if one of them brings it up?

ME Sit down and talk about it. Have another supervisor with me. I wasn't the only one witness to it, so I don't feel like it should be just one-on-one with me. We were all involved.

VM I don't know if anyone would approach you and take a stand or question you about it.

ME I never have in the past, so if they do now, I feel like it would be weird.

VM So just have some words ready. Like, *I wasn't expecting that. Can we talk about it later? Can we talk about it tomorrow? I need some time to think about this because it was disturbing.* Whatever your words are.

Closing remarks

1:55 p.m. end

March 6, 2025 | 10:00 a.m. – 11:00 a.m. | Interview via Teams with Tyler Wherry (TW), Vicki Moll (VM), Tara Hallam, notetaker (TH).

Introductions and admonishment

VM So do you have any questions before we get started?

TW No.

VM OK, fantastic. And Tara and I will both be taking notes. We may both ask questions, and so if from time to time it's quiet, that's OK. So, the first thing is I want to go back to is the e-mail that you received last week…

TW …OK.

VM Do you remember when you read that?

TW No, I mean specifically. No, I don't.

VM But you did.

TW I I assumed I read it as it came in or shortly after.

VM Did you respond to Constance or anyone else in the e-mail?

TW No, didn't seem like an e-mail that warranted any sort of response or anything like that.

VM Or, what was your understanding of that meeting from that e-mail?

TW That construction is starting and they have a meeting. I think it's tomorrow now on 7th I believe. So just kinda, wait for further instructions.

VM And when did you have knowledge that an employee was in the process of actively moving her work stuff from 1 station to another?

TW As this whole incident was taking place, she's not my employee and so any of that stuff isn't… I mean, it could be potentially, but it wasn't asked about, you know, for my permission or blessing or anything like that. And actually, when I came in that morning because the employee Becky who vacated that desk had retired, I didn't even clock that she was moving stuff because she was also cleaning up all the retirement stuff. So, there was like banners and balloons and all that stuff. So, you know, when I got in, she wasn't moving her stuff to be quite honest with you. I don't believe. I think she was just cleaning up the space after the after Becky had retired.

VM Who was doing that?

TW Janelle Oleson.

VM So what was your impression when you learned that she actually was moving her things? Like, what did you think?

TW I mean, I felt like that was something that was gonna probably happen anyways. So because Becky was leaving, that desk has more room. Janelle technically is the only LA3 in that section now. I mean, she won't be in a couple weeks, 'cause. We just did LA3 hirings and somebody else is gonna be promoted in that section to another 3. But you know currently with the work that she does and the space that she needs to store more, you know, documents and stuff like that? It seemed like a natural move. I mean I wouldn't even have thought twice about it to be quite honest with you.

VM So your first? No, I don't wanna put words in your mouth that you - You didn't think -*Oh my gosh, that's against what the e-mail said?*

TW No, not even remotely close.

VM So in this narrative, and I think because I read a couple of statements now, I understand that Janelle was upset. Did you observe Janelle after she was told she couldn't move?

TW Not immediately after because I was in Melissa Engler's office the whole time. And so I was just sitting in there. This whole incident took place. I stayed in there for a little while and then I left and I think by that time I want to say Janelle was either in Tonya's office or Constance's. She was somewhere else. I don't where she was, but I mean the report was that she was crying somewhere and very upset by it.

VM Did you witness her crying?

TW I believe by the time I had talked to her, I don't know if she was actually crying at that point, but you could tell she was emotionally very upset.

VM Have you seen her like that before?

TW No.

VM And something you just said a moment ago is that the “report” was that she was crying. What report are you referring to?

TW Yeah, I think, well, not a report like somebody had said that she had been… I’ll use the correct terminology here, but somebody had said that she was upset and had been crying. I don't remember who. That I don't remember who that was, though.

VM Just one person? Or did you hear for more than one person?

TW I don't, I don't remember. There was a lot going on, so I'm not, I don't remember, to be honest with you.

VM At some point you decided to come to HR…

TW Yes.

VM …to report the event. Did you have a conversation with anyone before you made that decision?

TW Yeah. Melissa Engler, 'cause. You guys weren't part of the initial call, but we called Melissa Arnold. Together we are in the same room when we when we called Melissa.

VM Do you know when that was?

TW That was Tuesday morning around, I could tell you 'cause I sent her a pop up first. I sent her a message at 10:27 AM on Tuesday and then she called me and then I called her back. So maybe we ended up talking at like 10:40 maybe.

VM And the time in between is that just because you had time to think about it, or like you went home and, I hope this didn't happen -but you're like, obsessed, or like it kept creeping into your brain. And you're like, this isn't right? Or what transpired in that time?

TW I think maybe a little bit of everything. And so I feel like, one: obviously according you know, you guys have read my narrative. This has happened before.

VM OK.

TW And so this isn't something that we're not accustomed to at this point. And I know other people have gone to HR in the past for other stuff and it never really results in anything. And so, you know, and I've never come to HR for anything in my life. So, I've worked here almost 11 years. I don't. You've contacted me, but I have not, I have not contacted you.

VM Right. OK.

TW And so I went home, you know. I don't know. There was just something about it just felt so different. It felt so like direct, and it felt like, you know, the three of us were really getting attacked for something that, you know, we didn't do anything, you know, like, and I think it was different because it was in a public setting. Yeah, the door was closed in an office, but I don't know if you guys know the layout of the office, but in the office that we were in, which is Melissa Englert's, it's like right next to the front counter and in between the front counter and the door is the financial section. So it was a very public incident that took place and I think just kinda all of those factors and just I I think for me for so long now, I've tried to battle between like, you know, doing what's right and doing what's just gonna get me through the next day or the next week or the next year. But you know, these incidents keep happening and at this point, I think it's time for me to do what I believe is right and that's to report this. I I don't feel that anybody should be treated this way. And I think this this blow up was, you know, the last straw for me. And I told this I think, Tara, you were in the last one I was in. And I told you that me being a part of these investigations is the beginning of the end of my career here. Like you see all of these people who have brought this to people's attention, they don't work here anymore. They just don't, and it's because of this. And and now we're here. And and now I'm coming forward to give you guys what I have, you know, and it's really hard for me.

VM No, I thank you for that. Thanks for coming forward. And I hear from you that it is a difficult thing and I understand that it is a difficult thing. And to live in uncertainty, you know, is also not a good way to come to work every day. So let's go back to the incident. As painful as it is, and I want you to, to the best of your abilities, and this is entirely in your opinion: Assign blame to what took place - Who's at fault?

TW Initially Tonya, to be quite honest with you. There was no reason that this had to even be a thing. Like, people make mistakes or they overlook emails. You know, there's there's ways to handle things. You know, first thing in the morning so you see somebody doing something that you don't think should be done and it's not even a malicious thing. It's not swearing at a coworker. It's not doing something vulgar. It's it's just moving desks. That's an easy conversation. That's just a: *Hey, Melissa, Tyler, Whitney.* Whoever you know, *I see Janelle's moving*. You know, *we did send an e-mail out, I think I think at this point we should just wait and just, you know and just have her stay in her spot*. You know, *we're still trying to hammer out the construction piece and then we can figure it out there.* OK, great. Let's go talk to her. Done. We're done. That's a 2-minute conversation. Instead, she witnessed Janelle moving her stuff she came flying into Melissa's office. Started, you know, aggressively telling us about an e-mail that none of the three of us of us even recalled because it was so insignificant. Obviously, we wouldn't move people during, you know, before construction, just for construction sake. We would wait for that. So, a retirement is different. This is something I'm sure was thought about months ago. You know, this e-mail came out on Wednesday, so a week ago, you know, but it's just an oversight. So, Tonya initially is to blame for the reaction and then obviously Constance took it to another level where, you know, she's yelling, like, literally screaming at us. And it wasn't even. And. And here's the the biggest problem. Constance is not even yelling at us about people moving desks. She's not even yelling us about the incident. She's yelling at us about the comment made by Janelle saying that Janelle thinks that Constance and Tonya hate her. What does that have to do with me? That doesn't have any…

VM …I'm sorry.

TW …That doesn't have anything to do that has nothing to do with me. That's insane. Like the three of us have nothing to do with that. And so, the. And I put it in my narrative to the topic of the actual issue that this was coming from was never even addressed by Constance. It was this like, you know, I hate to say it, but this victim mentality of, you know, *everybody's against me. The world is against me.* That has nothing to do with me. I didn't say I hated you. I didn't do any of this. I'm sitting here, I'm eating my oatmeal trying to figure out what the week looks like so, and to be so aggressive and so just so like over the top about it to the point where employees in the office can hear individual words that you're saying in an office with a closed door. Like, that's a that's a safety concern. That's emotional and that's abuse like and at what point do we go, *Oh, OK*. Well, we're not going to do anything this time. I mean what? What? How does what is? Where is the escalation? You know, I mean, I like at what point does it have to escalate? Does somebody have to be physically assaulted? Like that's feel that feels like where we have to go like that that for me to actually like, get like, *Oh yeah, now I feel scared.* I mean that's that's unreal. Like I'm trapped in an office with these two people yelling

at me about an e-mail that I have nothing to do with, and I don't even remember with, about people who hate you. That also has nothing to do with me like. That's why. How do I do I have to come to work and do that?

VM Do you have an idea of how long this event took place between the time Tonya came into your office and then left and Constance came in or?

TW I don't if I if felt like a lifetime, but I this week has felt like, you know, a year at this point. I don't know. It all was just kind of a blur, you know. Maybe it was like right at 7:30 on the dot, and it was probably, maybe 10 minutes? 5 minutes? I mean it was. You know, it was a really brief moment in time. You know, Tonya came in first and then left, and then Constance and Tonya came in after that. Tonya slammed the door behind her. You know, and that's when Constance started, you know, yelling and crying and and screaming at us for this stuff, you know, so. And then she didn't get very far into that conversation before she just said "I don't need this. I'm leaving" and then stormed out. So yeah, I mean, it could have been 5 minutes, maybe 10 minutes is my best estimate.

VM So have you seen that behavior from Tonya before?

TW You know, in in person? No. She does…. There's like an aggressive tone to some of the emails that she sends to specifically the three of us asking and demanding for stuff. And then and she does get really irritated when, you know, kind of like put Constance… Like where, I don't want to say we *push back* - but like part of our job is to you know. We hear about these new policies or procedures or, you know, things that that may be changing. And we have to question them, right? Like not in like a malicious way, but it is part of our job is to say, *have you thought about this?* You know, *what about this angle?* Like, *have you have you vetted this all the way?* And they're just always mad or annoyed when we do this. Like we can't - like feedback is not an option for this. So for with Tonya, I would say no, I think there was maybe one other incident where I remember that she slammed her office door for some reason. I share an office not in office but like like where I'm looking like right here. There's a door that goes into her office, our offices are connected. So I do remember one other time when she, like, my my office shook because she slammed the door for some reason. So, I don't….

VM You know about when that was or what that was about?

TW I haven't. I really have no idea. I was just sitting in my office and just it was very notable cause like my whole office shook. I mean, she's only been here a year or so, you know, maybe six months ago? I don't. I'm not really sure on that one, but.

VM I know that she worked here before. Did your time overlap with Tonya or was she gone when you got here?

TW I heard she may have been a judicial assistant in Superior Court, but I don't. I have never, as far as I know, have any interactions with her before her coming to work here. I know other people have known her in the past that had worked here for a long time, but I feel like my time did not overlap with hers.

VM In your opinion, do you believe that she's emulating Constance, and her behavior is starting to trend that way? Or did she start off this way?

TW Yeah, I would say it's just, it's continuing to trend in that direction. I feel like even if you know this is the first, technically the technically the first incident where she's been the aggressor, she's also stood by and watched us just get absolutely ripped apart multiple times. To me, that's just as bad, you know.

VM And when you say that, you mean from Constance?

TW You're yeah. Yeah. Those other two incidents that I put in my, my narrative. She's sitting there watching us getting read the riot act and she's she's either also thinking that and they're having conversations behind closed doors that that mirror that, or she doesn't agree with it and she doesn't say anything. And she's letting us just getting ripped apart for no reason. It's it's it's very bad.

VM Who did you report to before Tonya got the job?

TW Emma Gaddis.

VM And is Emma - is she one of the ones that left her Pierce County, or did she have another job with Pierce County?

TW No, she's she's gone. She works for the Court of Appeals.

VM And how long did you report to Emma?

TW For however long she was a Chief Deputy. I'm not, I'm not sure. Before that, she was similar to my role, where she was a Legal Processing Supervisor, so I did not report to her at that time. We didn't have a Chief Deputy for a long time, so I reported directly to Constance for quite a while. And then they filled the role with Emma. So I reported to her. And then she left. And then that was vacant again until Tonya got that job. So I there's, you know, there's a lot of gaps there where I just reported straight to Constance because we didn't have a Chief Deputy.

VM And do you know why Emma left?

TW Yeah, it was because of the work environment, it was physically and mentally ruining her, she took like a 50% pay cut. Like to go work and drive up to Seattle, two to three times a week, you know. And and that's, you know, I hate to just keep bringing these people up because I know they don't probably want to be a part of this anymore. But Emma Gaddis left for that reason. Chris Hutton left. You know, for that reason he he had to go through the same thing where he was the subject of an investigation. You know, and he got ran out of here. Justin Joyce didn't like the way he was treated, left, took a lateral move with District Court with this for the same exact pay. Amanda Perez left to be, you know, to get out of here because she was, you know, entangled in the financial issues that we had in the last couple years. Who else? I mean Andrea Kelly. You know, I mean, she she was she interviewed to be the Clerk. And then

she got ran out of here like she's the nicest person I've ever met in my life. And she was. I mean same thing; like she couldn't take it anymore.

VM You had mentioned on that spreadsheet that you sent to Tara that some things you needed to explain, or the reason they left, you needed to explain? Do you have that, and can you tell me more about that?

TW Yeah, I have it. I have it pulled up so I just kind of managed it after Emma left. So you know, there's some names on here and you can see by like the service time that they were only here for like a month for, you know, not very long. So I don't know why those people are on here, but I just wanted to give an accurate reflection of. It's not not every single one of these people left, you know, either before or after Constance because of the environment like some of these were just extra hires or summer hires. So I just wanted to make sure you guys had the full scope of, I just don't want you just pull the spreadsheet and go, *here's before. Here's after* 'cause that may not be entirely accurate.

VM So you had conversations after the event with Melissa? Did you engage in conversations with Whitney as well?

TW Yeah, we were, I mean, we were all three a part of it. So yeah, we've yeah, we discussed it.

VM Do you have knowledge that you or others are you looking for work elsewhere in Pierce County or outside of Pierce County?

TW I have, yeah.

VM Inside? Or both inside Pierce County and outside?

TW I would say both and it's just getting worse and worse. You know, I love. This is the thing – like, I like working here and I think other people do too. But then you know this environment gets… I like the work, but then the environment is just too much to handle, you know. Luckily for me, I have a good support system at home. You know, I have a wife. You know, I have two kids, so I have a lot of stuff to distract me and I have people to to speak, you know. Openly about this stuff, you know, but like everybody I know is like, *why do you still work there? Like why? How come you are taking this kind of abuse?* Like that's not the, you know, I make decent money, but the money is not worth it. Like if I die of a heart attack at 40.

VM Knocking on wood when you say that.

TW Yeah, but it's like, you know, the the level of stress and this this place didn't used to have that. I mean, that wasn't a thing. Like, yeah, it's stressful 'cause. You're working with the public and you know, there's, you know, very, you know, sensitive information and and and situations going on. And that's fine. We get that. But the inner workings of the office should never be like this. We don't work in corporate America. We're not in sports, where you're in a locker room, getting yelled like, that's not where we are. And even then, it's not OK, but specifically here like like I said in my statement, none of this environment meets County, Pierce County values or standards like it just doesn't. And you know, to be quite honest, this is the only thing

that this whole building is talking about right now. I mean, we are getting people from Superior Court from, you know, all these other departments asking us if we are OK. I mean, how ridiculous is that that, you know, people feel that bad because it was in such a public setting and so many different people heard it. Then me, Whitney and Melissa, you know, we know how to internalize it and we just laugh it off and and try to cope with it because it's happened so many times before, you know. And other people are like, what? *How, why? Why are you doing that?* You know, and people are like, legit concerned for us around this building because of what took place and and now knowing that, you know, there there are other potential, there are other issues involved too. It's like. Yeah, I mean, this is gonna be a huge deal.

VM Other issues involved too, referring to what?

TW Oh, like past incidents.

VM So have you had ten different bosses since you've been here or five? Or what's the number?

TW How many different Clerks or?

VM That you reported to directly.

TW Umm oh, I don't. So you're talking like the whole history. Like I really only reported to Chris Hutton for a long time. And then when I got the, I think I reported him the whole my whole time here until I got the Legal Processing Supervisor position. And then I reported to I think to Constance. Because Kevin was gone by that point. And then Emma, and then back to Constance. And then Tonya, now I guess. Yeah. So what is that?

VM So was Chris like "Tonya" – Chief Deputy?

TW He was my like my position. He was a Legal Processing Supervisor.

VM Oh, I got it. OK.

TW Yeah, no, Dan Ladenburg was the Chief Deputy before Emma, but then he retired, like in May of 2020, and that position stayed vacant for a long time because of potential budget issues. So they thought they were gonna have to figure out something with the the money on that.

VM So you identified only 3-4 people, really, that you've reported to directly your time here.

TW Yeah, that sounds right. Yeah.

VM Can you grade them as far as from best to worst?

TW Oh, Chris Hutton was by far and away the best. He was #1 for me. Yeah, he was my first my first supervisor here and his thing is was public service. You know, he was there for the people. He wanted to make it better. He wanted to make it more accessible and easier, you know, and I mirror those those values, you know. And now I have the department or the positions that he once oversaw. I ended up taking over when he left. And so I've tried to, you know, continue that that legacy and try to, you know, serve the people of Pierce County. And that's what he was all about and that's. You know, that's everything that that this office should stand for. Yeah.

I guess then Emma would be the next one, you know? But she we didn't have a lot, a lot of time together. And, you know, she was going through all the same stuff, essentially that I'm going through now. Or she was having a hard time with it and then I don't know. Constance and Tonya at the bottom tied, I guess.

VM Sometimes in these investigations I ask a question like a hypothetical question - Is the relationship between you and Tonya - Is it cracked or is it broken? If it's cracked, it can sometimes be repaired. And broken, usually cannot be.

TW I would say broken.

VM 'Cause she's been here for a year?

TW I would. I mean, I think this was the final straw. I think that's this was the final break, you know for me. How am I supposed to operate in this place like I have have two supervisors essentially who I don't know, don't like me, think it's my fault that this office is divided, you know, feel comfortable screaming at me or just letting me get screamed at. We have a department our, a management meeting on Tuesday next week with me, Melissa, Whitney, Constance and Tonya: how am I supposed to go to that meeting? Like, how is that even safe or allowed you know that what, so I can go get yelled at again? You know that it doesn't…

VM …When is the meeting?

TW Yeah. So it's, it's on Tuesday. We have back-to-back meetings. We have an all-staff meeting. Tuesday the 11th. We have an all staff meeting at 8:00 and then we have an hour-long Operations meeting from 9:00 to 10:00 that same day.

VM And I'm going to assume that, but I'd still like to ask the question: is your relationship with Constance - Is it cracked or broken?

TW Broken as well.

VM And when did that happen?

TW I don't know. I mean, I guess this would be the final push for me as well. You know, I I try to play nice and keep a straight face and, you know, just do my work and go home. But you know, it's been it's been fractured for a while. You know, I think anytime you feel like. That's that's the way you should address somebody you know that does not. That doesn't sit well with me. You know it's not. That's not somebody that I feel like is a true leader. And you know now with this and obviously being comfortable with with scream, you know, yelling and screaming at us, really in plain sight and in plain view. Like you obviously have no, no respect for me. You can sing praises from the rooftops, you know, in every meeting at this point. And won't believe you. That's just, that's just the facts.

VM Have you had any subsequent conversations with Tonya about this event?

TW She's gone. She's she's on vacation. So she actually left - was it that day? No, maybe it was Tuesday. I think Tuesday she left early and she's been gone. She doesn't come back until

Tuesday. That's the only reason I'm even comfortable doing this interview in my office is because she's not here. If if she was here, I'd have, you know, we share a door. I would have to go find a corner or go use, you know, like Whitney's office, which is out in the hallway or something. And like, you know, I can't take any kind of calls like this. That's why I have my headset on. I literally wear my headset in and office with the closed door. So other people can't hear what the nature of the conversation is like. You're just living; I'm living life in constant fear of retaliation. And I spent a lot of time here, you know, I put that in my narrative. Like we spend a lot of time here. You know, we are here five days a week. Specifically, me, Whitney and Melissa. We get here early. We barely ever take a full lunch. You know, we're always here. We're staying late. If other employees have to stay like we spend so much time here and to have to ask the question, *oh, is she here today? What's the mood like?* How was that allowed? How is that OK?

VM Do you know if Melissa is actively looking for other employment.

TW I don't know. You'd have to ask her about actively looking, but you know she's been here for like 20ish years. She's been here for a long time. Every conversation that me and her have is, you know, geared towards, you know, I want to retire from here. I want to retire from here in the last couple days. Is the first time I've heard her say: *I'll go work literally anywhere else. I don't want to be here.* You know, and you can confirm that or or ask her maybe in more detail on that, but. You know I that's this is the first time I've ever heard…. You can tell like I'm not, I'm not sleeping. Like Melissa is not sleeping. You know, Whitney is not sleeping. We all look like hell. You know, we look tired. We look absolutely just beat up. You know we're this is like physically. I'm like, physically. I'll trying to like figure out how to navigate this this situation and then thinking about if something doesn't happen. And then I have to go back and work and be subjected to the same environment. But 10 times worse, probably because nothing's getting done. Like how am I supposed to continue my career here? You know, I was easily going to be here for 30 years, maybe 40 years, you know, because I started here at 25. And so like, I could have potentially been here for 40 years and now 10 or 11 years in whatever it is, you know, I'm thinking, "Well, had a good run. I'm done." You know, one way or the other, I'm gonna get forced out, or I'm gonna just leave because I can't take it anymore, just like everybody else did.

VM Do you believe that Constance targets employees?

TM Yes, I put that in my statement.

VM Do you have any idea why?

TW Because I think she wants to control the narrative of this office. I think she wants Kevin's people out. "Kevin's people," just people who have been here for a while, and she wants to bring in newer people, who you know can be, I don't say manipulated, but can be spun to thinking that everything's great and she's doing all these good things for the office.

VM So the office, the Clerks, the court, your office has been in the papers in the past. And it probably will be in the papers in the future about processes and probably some legal things, deadlines and processes that aren't being met. Who's to blame for that, in your opinion?

TW Constance. you know, and I have I have a little bit different perspective on that because I'm the public records officer for this office as well. And so, you know, not only do I just hear the rumors of this, but when that News Tribune stuff came out like, I was the one who had to facilitate all that. Like, I tried to make sure that everything was done properly and I had to deal with Kevin doing public records requests, about other financial stuff that he knew wasn't getting done. I had to deal with other former employees doing public records requests and it's like it just, I know it's part of the gig and that's fine, but just the it's just a constant, just a constant beating. You know, for me 'cause I'm. I'm the only one, essentially, who does that stuff and I try to make sure that stuff is not public. Like when somebody just submits a request, I don't go run around and go *oh Kevin, just submitted a request*. Oh, so I have to internalize all that stuff. You know, I have to keep that. And that's not even a part of that job description. That's just something that I feel is is right. But I've kept that job, and it's been tried to be taken away from me multiple times. But I have tried to hold on to that job because I know integrity is a huge piece to that, and I wanna be transparent whether it's a former employee or it's, you know, one of my frequent flyer requesters. Like, I wanna make sure that we're transparent. And I felt like if if that was given to somebody else that. That that role was gonna be manipulated as well.

VM Who's trying to? Who has tried to take it away from you?

TW Constance is mentioned multiple times to try to give it to somebody else and use the use the excuse of its *too much work. I shouldn't be doing it,* but in my opinion it's an upper level position like LA2, LA3, they shouldn't be dealing with that stuff. I don't think that's a part of their job description.

VM Has she said that? Did she give it to a person who was identified, or just an LA2, or what has she said?

TW Somebody else. I mean obviously that wasn't directly told me that was the reason. That's just how I've always felt about that.

VM Are you aware of the results of the most recent audit?

TW No, I'm not. Are you going to tell me? [joking]

VM I honestly don't know who it's been communicated to. I've seen a summary, but I didn't really understand it so.

TW Yeah, it's that's not my space. I don't know a ton about it. I do. I always assume with that you know when when Justin left and Kevin left, they were the two kind of financial gurus, you know, they had, you know, Kevin obviously had been here for a really long time, gone through a lot of different audits. So you know, when. Those two, when those two left. It's, I mean, safe to assume that it's gonna be, you know, tough sledding from from there. But I I I knew they

were going through an audit. I didn't. I didn't know if there was findings or they were good, bad, indifferent. I I'm not sure.

VM Did you work with Danielle Scott much?

TW Oh yeah. For a brief minute. Like she was only here for two months, I think.

VM What was the oof for?

TW Because it was just complete chaos from start to finish, she felt.

VM And who's to blame for that?

TW I I would have imagined Constance, and obviously I'm not in the room with those conversations, but I felt like she was being fed. She, as in Danielle, was being fed that that people were colluding against her to not be able to do her job properly and specifically, Amanda Perez and Justin Joyce, we're not helpful in transitioning her to that role.

VM And is Justin is still with the County and Amanda is too, right?

TW That that. Yep. Amanda is a judicial assistant and Justin is the financial Fiscal Services Manager for Superior Court now.

VM So let's go back to the event where Tonya and Constance are in Melissa's office. Did any of the three of you try to say anything or get asked questions or get clarity or? Because you're kind of, in my word, no one else's - but like afraid?

TW Yeah, there's, yeah. I mean, we're and and we know there's no point because we've done it in, you know, in in one of the incidents that I outlined. I think it was the maybe the October 4th meeting. At one point during that meeting, Melissa spoke up and said we're we're not against you. We're not pushing against you, and Constance just lost it. Y*es you are. Yes you are. You're all against me. I I I do everything for you and this is the thanks I get.* And so it's like. Why you know, of course, like inside - I wanna stand up and be like: *No, no, no, no.* Like *this is not OK. This is not what happened.* You know, like in that same meeting we were talking about, you know, just a process change or potential process change and you know, Whitney has a financial background and I covered the front counter space and so we had questions and you know and then we also had questions of I think I don't know if it's in the same meeting or not. I can't really remember now, but about Getting rid of all of the boxes in the records like the old files you know and we're not pushing back. We're just asking questions to have a better understanding and then you know it's *our* fault. *We're* the reason for the divide. *We push back. We do this. We do that.* So like you know, with this last incident. Why? What's the point? Why would I say anything? So just get yelled at more and then be the next target. That's, that's what I mean. It doesn't matter now. 'cause I am. But you know, like, what's the, what's the purpose?

VM Have you had any conversations with Janelle? Does she know that you went through this thing, or does she only know secondhand? Maybe she didn't witness it, but people have talked to her about it?

TW Are you talking about like? Does she know if I went to HR? No, I I have not really talked to her a whole lot. I briefly spoke with her. Maybe a day ago. I don't know what day is it? Thursday. So maybe yesterday. I kinda briefly spoke with her about, you know, she's really concerned about her job safety, about her being the next target. She had mentioned getting a lawyer. For whatever reason. I don't know how that works in investigations. I don't know if that's even allowed, but. You know, she's very she's very concerned.

VM Do you know why she got a lawyer?

TW I don't know if she heard I don't know what she heard or didn't hear, by the way. I you know, that's something that you would need to ask her. I did hear rumblings that she put together like a a statement like a a narrative of her interactions, because obviously she has the perspective of being in Tonya's office. And then after the fact, trying to go to and apologizing to her, to say sorry to Constance. And then there I think Nicole was in the office with Constance to take notes is my understanding and you know, Janelle was just trying to apologize, you know, she felt bad for. I think she just felt bad for, you know, maybe being the reason why it all happened, even though it wasn't, you know, wasn't her fault.

VM Do you know anything about the relationship between Tonya and Janelle?

TW No, I don't know. I don't know if there's a lot of any sort of real relationship there. I'm not sure Tonya's really built a relationship with too many people outside of her leadership team. There hasn't been much of an effort to mingle with the everyday people.

VM Do you know why Janelle got emotional?

TW Probably 'cause she felt like she was being attacked. That's I think that's a question for her, but I would assume because she felt like she was doing something wrong, and she was being attacked for it and she didn't really understand why would be my guess.

VM Give me just a moment to review my notes. Is there anything else, Tyler that you have for us that you want us to understand that we can consider?

TW I think my narrative pretty much captures my perspective of the incident that took place, you know, when I spoke to you guys, whatever it was, I think yesterday, you know, I felt like you guys were surprised that I had the wherewithal to take notes on other incidents that had taken place because I knew that we would get to a point like we are right now. And so I I mean I want you to know that this is very serious and I know you guys know that, but I want it to be very much known that I feel like something needs to take place and it needs to happen immediately. Like there's there's a huge safety concern for me personally and for other people in this office. If something is not done by somebody like immediately, like right now. So yeah, it's been very hard for me. I think I'm pretty chill. Pretty mellow, pretty put together for the most part. I literally watched a juror die in the parking garage and this has been a harder experience than that. And that's like, you know, like this is like absolutely tearing me apart.

VM OK. And in your narrative and today when I asked you the question this do you feel that Constance targets people - Is there any basis for the targeting? Or is it just Kevin's people? Like, does she target men more than women and then more than men?

TW I think it's just. No, I think it's just a more tenured status. You know an example of that would be. So, Becky just retired on Friday. That's whose desk we are discussing currently. She's worked here for 30 years, put in 30 years of work. You know what recognition she got for that from Constance? Nothing. She didn't come over on her last day to say thank you. She didn't come over to say *congratulations. I'm happy for you*. She didn't do anything. Then you don't have to do anything but just, you know. Yeah, right before Becky left, she never even she never even came over. She gave Kelsey, who moved to Jury Administration -she came over and gave her flowers and said congratulations, who sits right next to Becky, by the way, like, literally right next door. Didn't even acknowledge Becky. Like she was some sort of criminal, you know, like she had done something so egregious that didn't even warrant her to say hello to her. We had a summer hire a summer intern last year and she was here for like 60 days and Constance like basically threw her a parade when she left, I mean.

VM What was the name of that summer intern or what was the name of the summer intern?

TW Uh. Her first name was Molly. I don't remember her last name, 'cause. She was not here for very long. So yeah, I don't. I don't remember.

VM OK.

TW You know nothing against her, but it's, you know, it's like that's the stark difference right there. Like somebody who dedicates their life to public service, you know, and gets nothing gets not even a head nod.

VM And who is it that put up decorations and stuff?

TW Janelle Janelle is our…

VM …Who is the party person?

TW Janelle is our party person. Yeah. She puts a lot of effort in, and a lot of her own money, and a lot of her own time into, you know, we used to have a morale committee where it was made-up of like five or six employees. And then we used to plan events and stuff like that. Birthdays, holiday stuff. That kind of dissolved over time, and Janelle kind of just took the reins on it. Something that she likes to do. So she's very generous in in celebrating people and, you know, getting people cards if something, you know, if somebody's retiring or somebody's moving into another office or, you know, whatever. Like, she's a very generous, very nice person. so, she usually spearheads all of that stuff.

VM In your opinion, if any of your words that you've said to people get back to Tonya - do you have any idea who that's coming from? Not you specifically, but it could be Whitney, it could be Melissa?

TW Who would like who would essentially be the person to go back and tell her?

VM Yeah, we're trying to figure this out. She hasn't been here long. There's an issue with an employee Janelle who's been here three times as long as Tonya. And then Tonya, if things are getting back to her, like certain words she's hearing, you know, people are saying about her - who she has established relationships that would get back to her; that would relay that to her? I guess the simpler question is who she's close to in the department?

TW Yeah, I mean, I don't know, to be honest like I said, there hasn't been much of an effort made to establish connections with the majority of the office. You know, she has the lead, you know, Constance, Tonya and Nicole and Shanika. And I guess Casey would be, you know, Casey's Constance's assistant. Yeah, Casey's not part of that leadership team, but obviously by default I'm sure she's, you know, entrenched in that process, but you know that leadership team would be the closest? I believe she would be with umm and then include Casey and then you know I it. It seems like anybody who would do something like report back to one of the one of the two either Constance or Tonya, usually it would go to Constance. You know Constance has people who she's built relationships with. She has, you know people who house sit for her, that work here. You know that she's kind of entrusted and made it…

VM Who housesits for her?

TW Brenda Clerk. I mean, there's individuals that you know and that to be like, obviously this is not a part of this investigation. But you know, I think you guys are gonna have a big issue with the way the filling of the LA3 positions that we just had took place. There's rumblings of union grievances and a bunch of other stuff that people are not happy with that process because of, you know, how it how it was portrayed. Again, the divide in the office. We, as managers always do our own hiring, right? We didn't do it. We had three open LA3 positions and we got completely pushed out. We didn't do the screening. We didn't do. We didn't do the initial interviews. We didn't do the actual interviews. We didn't have a decision. We met with Constance and Tonya a few different times, but they didn't take our advice on who should. Who's ready? Who's not? And so there's a lot of people.

VM So who's was hired?

TW Gloria Berry. Jaliyah Glenn-Britton. Yeah I think that's how the order on that. And Brenda Clerk

VM And you said they didn't follow our advice. What was your advice?

TW Well, I would. So, I would have said Gloria was one of those people. She's she's great. She hasn't been here for very long, but she has a lot of experience in other Clerks offices around the state. I would say there was another individual, Arial Copeland, who is by far and away one of the better candidates in there, the third one, would have been a wild card kind of would have depended on, you know, where we saw the fit. But you know, it was weird because we had these three open LA3 positions. You know, we told them where we thought the need for those three to go. We were specifically told that the Docket section does not need two LA3's in there because Becky was retiring and Janelle is already a LA3, and we were also told specifically that Constance did not think Brenda Clerk was ready for a role like that or and by

her own admission wasn't ready for a workload like that, and then all of a sudden, she got hired. Anyways, so we're like what is what is happening right now? And you know, it's too bad for these people too, because they just got promoted, you know, supposed to be this great happy time. Congratulations. And it like nobody's happy about it. Nobody's happy about the process. You know, I feel bad for the people who have been hired because, you know, they almost, I think, feel like they've done something wrong. You know, they're just trying to better themselves, too. So, it's not, you know, it's not their fault. But, you know, it's just. It's every step of the way. Is something like this, like just being a higher me and Melissa, you know, Whitney's obviously a little bit newer to the role. Me and Melissa have hired like half of the people in this office, and I think we do a really good job of it like we have done it so much because of the turnover, and I think we've hit on a lot of people that have stayed here that have are great workers and then we don't even...

VM Whitney wasn't a part of process at all?

TW No, not all three of us. We were not a part of this process. We, with the caveat we did meet with Constance and Tonya a few different times after they had already kind of, you know, gone through the process here, processed there, you know, to kinda ask us our opinion on where, where we think people fit and where we think people or positions fit. But like I said, like they didn't really listen to that. Like, I needed a front counter worker because I lost two people, and usually we had six. Now we have four. I needed at least one, and I didn't even get that. I lost two positions in a matter of minutes because the person they hired; they deemed him as a floater position instead of a full-time front counter. Like, that's not what I asked for at all, and told you that that was not… I need a person full time person in this role.

VM Did Tonya or Constance offer any explanation or knowledge that in the past you have been involved but you were doing it different this time?

TW Nope. We just were cut out of the process altogether.

VM Well, I wanna be respectful of our time. I appreciate you meeting with us today. I wish I had the power to make an immediate change. That is not my position here, but I will be writing a report and submitting that upward, but we have a lot of other people to talk to, so I would appreciate it again if you do *not* talk about this to anyone, you can call us if you have a question, you know, certainly talk about it at home, if you know can sit down at the table and talk about it and then not think about it. But also, I know I talked about EAP, and they are a great provider of information on how to cope and navigate in difficult waters. But I am sorry that you're experiencing this, and we will notify you when this investigation is over.

TW Thank you. Can I ask a follow-up question? I know there's a lot of people that need to be addressed. Like for Tuesday, I mean, this isn't gonna be done by Tuesday.

VM No, I'm gonna bring it up, about your concerns with Tuesday.

TW I don't know how to operate in here right now like I'm just trying to stay busy and luckily it's been really busy in here. But you know, I don't know what to do. and I don't know if, and I

don't know if like Constance even knows about this yet? Like, I feel like I'm just like dodging people left and right. Like, on Tuesday, I had to go over there and talk to her about something, you know, completely unrelated to this. I had to bring somebody with me. Just made an excuse about bringing somebody over there because there's no way I'm going over there by myself. But how am I supposed to continue to just randomly bring people into, you know, if she says, *hey, I need to talk to you about this*. Like how am I supposed to? You know, I almost went home yesterday, like, physically. I'll just like. What am I supposed to do? Or Tuesday? Whatever day it was, I don't even remember like. It doesn't make any sense to me like I don't how to. I don't know how to maneuver this without being weird about it like I'm already I feel like a little awkward, you know, at times. And so it's like what? How am I…

VM Do you have the same concern about Tonya? I know she's not here right now, but when she gets back next week and you have to go into her office, do you have a plan?

TW Yeah, because I'm 'cause I'm afraid. I'm afraid if I'm in there by myself and I don't have any witnesses, I't's gonna be spun that I've done something wrong, that I was aggressive, that I was, you know, that I was the aggressor in that incident. Luckily, for us, we had the three of us there to witness this incident and we have, you know, we we all experienced the same thing and other people heard it. So we have all these different witnesses. I don't. You don't get that luxury sometimes when you're in a meeting one-on-one, you know, like. How am I supposed to do that? That and not be and not be weird about it, you know like.

VM We'll continue to talk about this in human resources and fortunately we do have a couple of days, but we will get back to you with any suggestions or anything that we can do to make Tuesday either more comfortable for you or not happen. Not sure what we can do.

TW Yeah. Yeah, I'm just. I'm very clear. Like once she finds out about this. It's gonna be absolute mess and I, me and Melissa are sitting ducks because we are bringing this to your attention.

VM Not Whitney, though?

TW Well, Whitney technically didn't, I think she will be eventually. Specifically, me and Melissa are bringing this in. You know our names gonna be written all over. This is gonna be given to people. You know it's gonna be requested, and like we're we're hosed. Like there's no way about it.

VM All right. Well, like I said, we're gonna continue to talk about this and we will get back to you probably tomorrow and or for sure on Monday with whatever we can do.

Closing comments– end 11:04 a.m.

March 11, 2025 | Meeting with Janelle Olsen and 117 Rep 3:30 – 4:15 PM

Whitney Long (WL), Vicki Moll (VM), John Howell Jr (JH), Tara Hallam, notetaker (TH)

Introduction, admonishment and overview

VM So let's go back to Monday, March 3rd, in the morning. What time do you usually get to work?

WL 7:15-7:25

VM And is that what happened on Monday the 3rd?

WL Yeah, my office is in the hallway, though, so I do stop in here and I'm outside of the actual 110. And I go in there to get, like, my stuff out of the fridge. So so yeah I would make my way in there eventually to grab like my V8 drink and some water/

VM Iis 110 the Clerks Room?

JL That's where my office is located.

VM So where is Melissa's office?

WL There's this like in the middle of the Clerk's office. It's like a we call it the fishbowl, because it's just like, right in the middle of the whole office, and it's all windows.

VM So I don't want to put words in your mouth, but up until the point where you got your V8 maybe and went into the Melissa's office, everything was normal?

JL Yes

VM Did you get there before or after Tonya?

JL I think Tonya was like coming in at the same time as me.

WL She still had her stuff on and Janelle was there. I kinda just grabbed my stuff and I was, you know, making my way to Melissa's office, passing and it was literally like 1 minute after that. Before things started so.

VM What happened?

WL So at first it was just Tonya. So she came in and she's kind of worked up already. Like immediately. And they kinda asked Melissa if maybe it was meant for all of us. I'm not positive, but it's Melissa's employee, so I would think it was more geared towards her. Like *is Janelle moving?* You know, and I think Melissa said, *yeah*. And then and then she kind of like was bothered, you know, she was kind of amped up at that point already. So, saying that s*ince you guys an e-mail like nobody's supposed to move* like and I was like, oh, you know, like we kind of were like, I don't know if anything was said at that point either. We kind of all just sat there 'cause. It was like she was just kind of like, really amped up and didn't seem, you know, necessary, I guess. And then, I'm trying to think, I think that was all that was said in that little

spurt because she walked away and came back again later. Like, oh, maybe she mentioned like Jason was supposed to be moving there, our IT person. Because our our office is going under renovation soon. So she I guess she was saying that Jason's supposed to be moving in the spot where we just had somebody retire. Becky, who she vacated from on Friday. So I think that's what she said at that time, *Jason's supposed to be moving here.* And then she kinda walked out. So yeah. So that's what happened. Like immediate, I think it was. I think it was literally like 7:33 by that time like we had. I literally just walked in her office. I was in there for like a minute before that took place.

VM So what happened after she left?

WL After, she left, I think we were all just like, oh, you know, like *what happened there* and then we were kind of. I'm trying to remember, like, was it, you know, something for people not to move? We were just trying to figure out, you know, like why she was maybe so amped up about it. It was kind of like a blur. Like I said, everything so fast. There was an e-mail sent. That e-mail was really focused on the renovations that were happening. So, you know, even after reading it, it was kinda like, oh, you know, it could have been misinterpreted that this is regarding the renovations. You know, nobody knew. You know, until we hear about the renovations, this one seemed kind of different because it was like somebody retiring, one person, just, we didn't know that Jason was moving there. That was never expressed to us, not that it had to be, but in every other meeting about the renovation it was told to us that Jason and IT, so everybody, IT was moving across the street to the 945 building, So we just didn't have that piece of information. So yeah, that that was probably the first leg of it from what I remember.

VM Did you hear her…?

WL …And we were kind of like wondering, sorry, we were kind of just like wondering like, whoa, you know what? Like, why was she so amped up? But I guess like the next piece that came kind of explained why she may have been.

VM Did you hear her conversation with Janelle at all?

WL No. Like I said, I was in passing. I kind of heard like I maybe heard like *your supervisors were supposed to say something*, but that's all I heard cause I didn't stop. I was literally grabbing my stuff and just walked, you know, right? I had to walk through them to get to Melissa's office, so I just, you know, walked by. And that's pretty much all I heard while walking.

VM To the best of your recollection, was it said in a normal tone?

WL It seemed a little like she was bothered. Like I said, like like kinda, you know, amped up and bothered about what was taking place. It's like *your supervisors were supposed to tell you*, you know, like. Like I said, just kind of like amped up like, why are you so bothered about something? Seems like small, but you know, could have been a miscommunication or didn't bother to ask, like: *do you guys remember this going ou*t or you know, could you go? You know, I don't. I don't know. We're just seeing, like, very bothered by situation.

VM Do you remember receiving the e-mail?

WL Yeah. It was the last thing, and it was the last thing sent in the e-mail. That's kinda why I don't think I don't remember. We're kinda all spread really thin, too, like we're working managers, so we're covering when people aren't here, which is almost every day like I had an employee out for a month that just got back on Monday. So I was, you know, basically an employee for a month also doing my duties too so. We're trying to put in and like I said, even talking about it. Like in the small time that we had or after it was like it was something about renovation, so it's kinda like geared towards that, so it could have even been misinterpreted even in that sense.

VM Did you respond to email?

WL I couldn't tell you if I did. Most of the time I'll just say like 'will do.' Something small, but I don't recall if I ever did.

VM So Tonya left, and then how many minutes before she returned?

WL Maybe like three, it was pretty quick. No, I mean don't quote me on exactly 3, but it was pretty. It was pretty quick.

VM That's not what we're here to do. We're just, we know it was fast.

WL Yeah, it was. It was fast, yeah.

VM So then she didn't return alone. So tell me more about that.

WL Yeah. So she came. I guess Constance would have entered first because she was further in the office and then Tonya was behind her. And then the door kinda slammed. Whether that was purposeful or not, I don't know what, it did, it closed hard and then it just kind of like went off right away. Like yelling and crying mixture. Saying *people* I don't know exactly the wording basically to the degree of *people think I don't like them. I don't know why people around this office think I don't like them.* Very, you know, like, like I said, bothered aggressive, like crying mixture. I think, she said. That's when, she said, *like Janelle said, that we don't like her or feels like we don't like her. And then she mentioned another employee, Melissa Buckner. And Melissa Buckner too. I've heard that she thinks I don't like her*, and *I'm gonna get to the bottom of this.* Oh, that that kind of felt like she was insinuating like we have something to do with why people don't like her? I don't know. It was very like, I said it caught me off guard. Kinda weird that you would be like yelling and crying to us about people in the office not liking you like we have some sort of control over that. I don't know. I don't. But then it kind of just like ended as quick as it started, if that makes sense. It was kinda like a. That and then: *I'm not doing this today. I'm going home* as she was like exiting the office. don't think Tonya's said anything on that on that actual encounter. But I think that's pretty much. It was just a minute.

VM Did the behavior surprise you?

WL Ya like I said that they were just so amped up about, like, something that seemed like a miscommunication or could have been deemed didn't ask a question on like, you know, like what? Well, why didn't somebody tell her or? Why did you feel like it wasn't necessary to tell her? You know something of that nature, because like I said it, the e-mail that we received was more geared towards more of like the renovation talk. So you know. And then it could have just been like. Hey, can you go? You know, *friendly reminder, you guys received an e-mail. Could you go approach your your employee and let them know that we're not? We're not moving,* you know, b*ased on the e-mail that was sent.* It just seemed very amped up for something so small, if that makes sense. Like you don't want to make a mistake because that may be the result. You know a small a small mistake. Like maybe if some if people were problems and this was like an escalating thing, but like we're all really good, we're good managers. We're, you know, we we all get along. All three of us were we come to work every day. We hardly take days off like I don't think that we're like a problem team or problem children. That's kinda how it felt, you know, like like maybe I could see if, like I said, if this was like an escalation of you being bothered by people doing stuff, but. Like I said, like over a small communication it just went 0 to 100. And then honestly, like I don't know what to say. What do I say to that? I don't know if you're wanting to tell me this for me to comfort you or like I'm I don't. You know I didn't know what it was actually about at the end of the day. Like I said, it kind of seemed like it was insinuating that we like that, maybe we have some control over what other people are saying or doing?

VM Did you ever talk to oanya about this?

WL No

VM Did you talk to Constance?

WL I had to go in there for something. I don't remember exactly what I went in there for, but I did like, she did say that she feels like she's being disrespected and I I just said *I'm sorry that you're feeling like you're being disrespected*, you know, like, I get that. I mean that was your feeling when it, you know.

VM Do you know about what time of the day that was? Like an hour later or four hours later?

WL A couple hours later not, positive though. A couple hours later, not positive though. I had a question about some tasks that we were supposed to be with the applications so that's what brought me in there

VM How did she bring it up, if you remember?

WL I don't know how it was brought up. I think. I think maybe I just said, hey, you know, *I'm sorry about this morning. I'm sorry* that you know, *you're like you're crying.* I didn't think it was just like me just trying to like I had to go in there for something and she seemed sad and worked up. So I just, you know said, you know, sorry for like *whatever you encountered*, what you feel like and then she said *I'm just tired of like being disrespected* or something and I'm like. *I'm sorry that people are disrespecting you*, right? But I don't think that like, I don't know.

Like I said, I don't know what happened with Janelle, so I don't know if that's what she was insinuating on the disrespect or whatever. 'cause I we I didn't hear any of that. I mean, I know on our part. If she was meaning like the e-mail misinterpretation was disrespectful, she didn't elaborate on anything. So that's all that was really said.

VM You said when she said that, she seemed sad and worked up. Are you talking about in your in the meeting that you had to find out some information or the event itself in the morning?

WL Still. Prior and like I said, I had to go in there and I'm just going out with like, you know, *sorry for that you are feeling sad* or like she was crying, you know.

VM Have you seen Constance cry at work before?

WL I think there was a meeting where she was like talking to us and she kind of like got teary eyed. I don't know if she cried all the way. But no, I haven't really seen her cry. Besides that.

VM Do you recall if you were in a meeting that took place, probably the middle of February in a in a binder was produced?

WL Yah. And there was actually, it was pretty intense also. She kind of like was irritated that there was some binders circulating the office. They were like before our time they started and they just kind of stuck around and I guess she thought that they were all gone. But there was one that she found. So she brought it in the meeting. And it was in front of like everybody. So just like departments that probably didn't need to be involved, it was like in our you know. They called it the department meeting. I think we're not really know what they label it 'cause we have like other meetings where it's just us three and then there's other meetings where there's. Like you know, the Finance department Pretrial. So that's what we think this was.

VM Were you aware that there were one or more binders that were a topic in the last summer?

WL Now I heard that like there was two that she took. No, no, I think I just heard that, I don't even remember. Just like random. Oh yeah, she she found these and records and took them. And then I guess like I said, there was another one where I guess she caught an employee like fumbling it one day and then she went back there like later and found it. And if she, like, kind of went into, like, a story about a mom and a son, 'cause she found something in one, and and that's when she started to get, like, emotional teary eye. But it was intense. Before you know, it was pretty intense while she was talking about it. And it was pretty much directed at only us 3 like. And like I said, it kinda took place in front of a whole meeting

VM Was the binder find recent?

WL I don't know that she indicated. She just said that she found it like in records and she thought everything she thought they were all gone. And she found another one. And then she talked about like we need to change the culture around here and you know which I, I mean, I don't not agree with like, you know, there were things that were happening before our time that were still lingering here, those being one of them, I think. They're like, 20 something years old. They're still being so open and. And I I mean, I've worked for the clerk's office for almost

10 years, but I was in the Western State Division, so I've only literally been in the building since, like, April. Yeah, I think I I want to say that's I got promoted in March. Like actually my my one year was the day after this happened. So it was like March 4th. And then I before that, I had been the lead for Western State division. So I was actually housed at Western state for like 5 years until we moved over to the 945 building and then in 2024 of like I said, I think maybe aprilish. Then I came into the office and before that I mean I I was totally out of the office.

VM Have Tyler and or Melissa talked with you about the binders at all?

WL No, I mean, we all know about them because we've been like I worked in the Finance department prior to moving to Western State. So I was in the office for five years before I did go to Western State, so like I said, it's it was just something that that had been here way before our time. You know that just kind of still was here.

VM Yeah, the reason I'm asking so many questions, I'm trying to figure out why February, why that meeting?

WL I think that the employee that found it or that was fumbling with it that she caught, you know, like. So what what had been said is that there was somebody in the back in records and they were, like fumbling with something and like basically looked like they were trying to hide something and then I don't think she made a big deal out of it then. And then she went back later to try to find whatever you know, the person was fumbling with and actually found what it was I guess. But from the two we knew that was taken, I I really didn't know of anymore. I thought that that was the end of the binder thing, so but like I said, I I don't even know if I was aware that there were three or two or whatever. I knew there was some. Like I said, because it was a thing. When I first started.

VM So we don't know that whatever the employee was fumbling with is what Constance found?

WL I guess not necessarily.

VM Because it's my understanding that nothing has new has been added to those binders in years?

WL That I don't know. I don't look through them. I don't contribute to them so I I wouldn't know.

VM Did like random people talk to you about this on Monday the 3rd?

WL Yeah, I mean, people were walking up asking, *are you OK?*

VM Who?

WL Mary Madden. She you know, she came up a couple times and asked me if I was OK, how she she gets here really early. I don't what time she starts her day, but she's like in our office, if that makes sense. Like Commissioner Services is like, right when you walk in our office, even though they're Superior Court, they're like, housed in one time. So. I mean, her office is in there, so I'm not sure. Like where she was at the time or even if she heard it. Or if she heard it from somewhere else, she didn't tell me. She just asked me if I was in.

VM Anyone else?

WL No, not that I can recall.

VM Was it talked about throughout the week?

WL I don't think anybody directly talked to me and I I heard like some comments made in passing. I don't remember what Joey said. He was just saying like. He was at the front door and I think I was making copies. I don't know if, like Kelly was there and was like, *man, I need to win the Lotto* and he's like, *yeah, me too* or something. And I said, y*eah, you know, that would be great.* But I think that they were like saying like, you know, like when the lotto as in not have the work . And I think somebody to the degree, I don't remember what he said, but he was like like *I didn't have ears or eyes anymore* or something of that nature like. And I'm like, *oh, you're blind now*. Like I think it was like reflecting on what had happened. His, like from what I know he heard. But I mean pretty much.

VM Did it die over weekend?

WL I think it died over the weekend. I mean, I think we even felt a little like we were kinda not like all three of us were kinda, you know, like a little on edge about it, I guess throughout the week and I think even by the end of the week we kinda like could sleep finally and so. Because obviously we we all three you know like *are you OK*? We were checking on each other.

VM How did it make you feel?

WL I mean, do you feel uncomfortable? It made me feel like, like I said, like we're problem like like it is insinuating that we we had something to do with people saying these things, you know, kinda like we are being blamed, you know. Made me feel like I don't wanna make a mistake or misread something.

VM So you've described that this was a small event, that you were surprised by the escalation. You didn't use that word. That's my word, so who's to blame for this?

WL I don't know that there should be blame placed. I just feel like it should have just been gone about in a different way. Maybe. And like I said, I don't. I don't want to shift blame because, like, maybe Tonya hasn't been, you know, too trained on how to take situations. But to me, as a manager, I I probably would have went to the other manager and even said, you know, *did did you, you know, did you let? Your employee know that they weren't supposed to move* and then you know if, if not. *Oh, well, you know. Friendly reminder sent out an e-mail stating this.* You know, and if it was misinterpreted at that time, maybe you know, just then it could have been maybe discussed and said well, you know it was more tied to the construction. So maybe I read it wrong, you know, but maybe gave a chance to express. Maybe the confusion there. Yeah, but I think that that could have just handled the situation and it wouldn't have been anything beyond that.

VM You said that Constance was amped up and maybe even Tonya a bit when you first saw her? How much of this is because the employee, in your opinion, because the employee was

moving? And you know, there had been a communication that said nobody was going to move. So how much of it the event was caused by that and how much was it caused by the words that were used by Janelle?

WL Honestly, I think it was more geared towards the words that were used by Janelle. Because it didn't really make sense. Like I said in the beginning, how even Tonya was so amped up. But then after Tonya came in and said what she said, then it was like, oh, not that I understood it. Or I'm excusing it, but that. Oh, that's why they're kind of amped up because she said that she feels like they hate her.

VM In your opinion, is it 60/40?

WL 80/75 or 80/75/25 like I said, because I don't know that small little confusion would have caused all that emotion.

VM So 25% Janelle moving and 75% towards the words Janelle use?

WL Yeah. And honestly, I don't even know it was about anything that was moved. We had been there for like four minutes. OK. I think I walked by her, and she was like kind of Clorox wiping down but that wouldn't have been weird because, like, Becky's been there for 30 years, so. Wiping the area down like I don't even know that she had moved one thing that time so. But honestly, I like I wasn't looking for it either. When I passed by the second time after I had gotten my stuff. It's not like I was looking for it.

VM In your perspective, do you think that this was a moment where Tonya and Constance pounced on the supervisors, because you think their perspective is that as a group or individually you're all problems or…?

WL Honestly, I don't know. Like I said it it wasn't even geared towards like you. You know, it was geared more towards that. Somebody said that that they felt like she needed. They hated her. Because she also brought up Melissa Bucknam (Jaso). I'm not positive on that because she it was more geared towards like what was said to to them because she even brought up Melissa Bucknam (Jaso), which had nothing to do. Yeah, like that wasn't involved in the, but she didn't even start work until 8:00. Like she wasn't there.

VM Have you heard employees be discourteous about or to Constance; or disrespectful to or about Constance; or *I hate Constance* - do you hear those kinds of things?

WL No.

VM The dept has had a lot of turnover. I'm not stating anything that you don't already know. And then some of the people that we've talked to have said that to us that people have left because of Constance. How do you feel about that?

WL It's never been voiced to me that that's the particular reason why, but we have had a lot of term. It's also been told to us that. I mean I have. They have heard like the older employees like. The ones that have left, like I said, I hear stuff because I was across the street. So it was like through the grapevine, like I wasn't in the building. I mean, obviously people have been

yelled at. People you know were crying in their offices because they're being yelled at, not being treated at night. Things of that nature, that's what makes me a little nervous about this too, because I feel like it's like now I'm in it. It's kind of deja vu ish like. It's been said before and nothing's been done, so it's like now we have to come in here and stir the pot and then someone's gonna ask for these results and then read it.

VM So, one of the things that's been said, and you didn't say this, but you started to talk about some of the older (as in tenure) people you know have left because of perhaps treatment by Constance. That the employees that Constance has hired are treated differently than the employees that were here prior to Constance being hired.

WL I will say that she does have some relationships with some of them, but you know, like some people get like, I don't know that it's specifically by her, but like, they're just cubicles decorated for their birthday. And it's just like a couple of new ones. But it's not everybody you know. So, it's like when she first started, she would do birthdays and she would do it by month and then, you know, whoever had a birthday that month, she would just bring like bags with goodies in it and give it to everybody. But then that kind of stopped. And yeah, so, I mean like I said, I do see some people that have a better rapport with her for sure.

VM And are those people that she's hired?

WL This last batch. Brenda was one. Jaliyah and Gloria. So, like I said, I'm obviously like I said, they have a better rapport than some of the people around there.

VM Are you aware of things that Constance may do outside of work with either Brenda or Jaliyah?

WL Jaliyah, I know that she, like, not outside of work. Now, what she does get like, you know, maybe some clothes that she's given to Jaliyah. I don't know about Brenda, I'm Jaliyah's manager, so I have a rapport with her. So, she'll you know, she'll just be walking out with us sometimes, and it'll be stuff that. Maybe like some food sometimes like chilling HelloFresh stuff in and she brings. Sometimes she'll put a food on the counter for everybody.

VM So, you've mentioned the people have said to you or you've heard people say that they've cried because they've been yelled at or they've been yelled at and they're leaving things like that. The treatment that you've experienced, including Monday the 3rd is that causing you pause with your job here at Pierce County?

WL It definitely makes me feel a little weary for sure. Like I said, like I, you know, like something so small, if that's what this was geared towards, the miscommunication, you know that that just seems unfortunate. I missed reading e-mail.

VM Do you feel like you are walking eggshells? Those are my words.

WL Since the incident, I just feel like I don't know it's more of the unknown, you know, I guess. Yeah I've been I've been anxious Tonya hasn't been here really since she was on vacations and got back today?

VM And is your anxiousness – this might be hard to answer because Tonya hasn't been here, but is it equal? Do you have as many anxious feelings towards Tonya as you do Constance?

WL Yeah, just trying to feel out the situation, I guess. Like, that's why like I like, I still have to do my job, and Tonya is my supervisor, you know? So I'm. I'm trying to just still be the same and act the same. But, you know, just going in with small questions or something. It, you know, I'm like. Hey, you know, just feeling a little like it's not the same. Like after something like that happens, I don't think they obviously you can go in and it'd be the same, you know.

VM You said you haven't worked with Tonya much, but I mean, she's your supervisor. But what is your interaction level?

WL She sent some things, like kind of maybe e-mail that seemed like a little demanding sometimes but I've never encountered anything like in person like I did on Monday.

VM So that's kind of it's kind of like the answer before the question. You haven't seen her be this amped up before.

WL No, no. Yeah, it definitely like I said, I think it all caught me off guard, but you know.

VM So, oanya arrived a little bit before you. Is that correct? Was it later? It was later?

WL Later but again, I stayed in my office. Probably check a few emails and then I go to the kitchen that's in the back of the office to get like whatever I like. I do that every morning and I have my water bottle that I fill it back there.

VM You got that promotion before Tonya was hired or just after Tonya was hired?

WL Before.

VM So in the in the time that you've worked together almost a year, then is Tonya's behavior changing? Is it? Is she becoming? And I guess where I'm going with this is did she come in prepared to be the Assistant Clerk, whatever title is and has observed, maybe Constance, exhibiting a certain type of behavior and now she's starting to emulate it? It's a really complicated question.

WL It is because it's very speculative. But I will say. Yeah, I've never experienced anything like Monday. I will say that.

VM TH do you have any questions?

TH No

VM WL - questions for us?

WL No. But like I'm gonna be just as anxious as what I was before, so.

Closing comments / EAP

WL Yeah, like I said, it's just kind of disheartening because, like I've seen this all happen before and it won't be what is. Thought I said. It's gonna be what I said so. Yeah, just because these processes like, yeah, we go in and say this is confidential and all of these things, but it's really not because at the end, people could just get it and look at all of it. So and then there's people. Then you know, then it creates more of a divide in here because people see what you know, what may have or what wasn't so.

Retaliation

WL I get it, but I just obviously there's been a whole bunch of investigations and you can go retrieve what happened.

Admonishment & retaliation – end at 4:17 PM

March 11, 2025 | Meeting with Janelle Olsen and 117 Rep 1:00 – 1:45 PM

Janelle Olsen (JO), Vicki Moll (VM), John Howell Jr (JH), Tara Hallam, notetaker (TH)

Introduction, admonishment and overview

JO: I do have a statement that I can forward.

VM: So, let's go back to last Monday and I know that there's some part of the story that's… Actually before last Monday, because you had a thing happen with a coworker who left, but then you'd also had some understanding about what would happen when that coworker left - So start wherever you want to, at the beginning.

JO: Becky Aquin was the lead in my department. Two years ago, I got the secondary lead with the intention, it was always divulged to me from management and Becky, that that I would be basically training to then take over when she retired, so she was planning on retiring somewhere around her 30th, that was always the in the plan, always in the cards since I started working. So, you know, 30 years of knowledge, versus, I've been with a Clerk's office for just under 4. That's quite the undertaking and I understood the assignment. And so there's a lot of pressure to make sure that I got all, I absorbed everything that I could while she was here. And so. Leading into the week that she was gonna be leaving, it was, of course, very emotional for a lot of people. Becky was not only very knowledgeable in her position. But she was always someone that people could go to with personal things. So, it was kind of she was just kind of there for all things. She was a great leader. So prior to her leaving, it had always been kind of a thing, like I said, that I was gonna be the lead in the department, whether or not another through would be coming on. It was never really discussed if that was gonna be continuing. And so I had spoken with my supervisor, Melissa Engler, multiple times actually, regarding like, *OK. I'm OK to move to Becky's desk.* That's always been kind of the knowledge that that would be happening. Becky's desk is substantially larger than mine. I probably have the smallest desk in the section. The only reason why I was sitting there was to be closer to Becky while I was training, so it was just easier. I could turn around. *Hey, what's going on with this* and have better communication. She left Friday. Her last day was Friday, so you know, of course, I was very sad. I don't want to add to see her go. Monday rolled around and I hadn't really started moving anything over there yet. There was a lot happening on Friday that I was catching up work wise and I anticipated coming in earlier before the workday to make sure that I started the move before the work day so it didn't interrupt our daily 'cause we were already gonna be a little bit behind being one person down. So that was always, you know, anticipated. And I had spoken with my manager and my supervisor prior to that. So, you know, when I came in, of course I was feeling a little sad, as one would, you know, and a little, you know, maybe anxiety a little bit too. You know, first day, like officially that it's just me in the department as the lead just a little bit of nerves and everything. So, I was cleaning up the desk In preparation of me starting to move, I was underneath the desk grabbing the recycling at Becky's desk and Tonya Moore came in, and she normally doesn't walk through that area. She

usually kind of walks along the backside of the wall to go right into her office, so I already found that to be kind of just not normal. And she kind of came up to me and she goes, *what are you doing?* And I was actually kind of taken aback. I mean, Tonya and I haven't had a lot of interaction, but the interactions that we've had have always been pleasant and it just seemed very like abrupt in her questioning. So, I was just kind of confused. I'm like, *"Oh, I'm. I'm moving desks." A*nd she goes, "*Well, you're not supposed to do that."* And I, and I'm like, *"Oh, well I got preapproval from Melissa."* Like, I'm not just doing this because I want to, you know, like I got preapproval. She said, *"Well, an e-mail was sent out last week to the supervisors and they're clearly not doing their job in communicating."* In that you know… So, I'm just kinda like the whole time. I was pretty shocked, kind of at it, and I also was feeling very not heard a little bit. And so, and you know, so I'm like, *"Well,"* I'm like I said*, "OK."* And I said, *"Well, is there any way that we can maybe discuss this further, you know the plan was that, you know, I was going to move here. Our newest hire in our department who is very much in the middle of training, wanted to move closer to me so she could move to where my spot was so she could be closer. So, while we're training, it just makes it a little bit easier. And then that leaves that other spot. Where she was open."* And Tonya basically was like, *"Well, you know, we have plans for everything because we're doing this big construction move,"* blah blah blah… *"And we have to place people."* And I said, "*OK*." Well, you know, and I'm like, "*I understand that, and I can totally understand that, but we're not. We would still be keeping, there'd still be a desk that's available, so it's not like we're taking up two spots and not leaving one open."* There would still be one available and I explained the need, the amount of work that I have. I just don't have enough desk space at the desk that I'm at. And that's the reason for it, you know. That's the reason why I was moving. And she, you know, she was like, *"Well, you know, we'll have to talk to Constance*, *but you know, really that the supervisor should have explained that and they didn't do their job.* And I just you know, I don't. I was feeling very emotional in the moment, and I just kind of was defeated. And I usually am not an emotional person. And I usually don't operate on emotion, but in that moment, I just kind of looked at her and I said, "*Why do you guys hate me?"* And immediately. I regretted it because it just was an emotional response, and in that moment, that's genuinely how I was feeling. But that's not very productive communication, and I realized that, but just in the moment, that's how I was feeling. So, Tonya was very like, "*Why would you say that? We don't hate you."* And I'm like, I'm sorry. "*I just, I'm not really feeling like this is a very good conversation. I feel like you're coming at me with a lot of like disdain and attitude. And I'm not really sure where it's coming from, but you know, I'm like, I'm just trying to ask for a conversation, if we could all sit down, and it just kind of seems like there's a lot of deflecting, and I really just don't really know where it's coming from*." So, she's like, *"Well, I'm… let me go talk to Melissa* ." And, you know, but, you know, just, you know, and I don't really recall at that point. I just sort of was like, "*OK. That's fine,"* you know. I wasn't… I was never argumentative. I was just trying to communicate, but it seemed more of like an argument towards me, and it just was very disheartening, and I think that's also why I said what I said. So, then Tonya went in to speak with Melissa. Meanwhile, I've already had the recycling in my hand, so I went to dump it, and when I was coming back, I could see Constance coming down the hall. So, I just got back to my desk. Melissa approached me and she said, you know, "*I apologize. There was an e-mail*

I had actually seen it, but I didn't. For some reason I didn't think it actually involved you. Like it wasn't super clear. I didn't realize that they meant moving desks. I thought they more meant people moving departments." Because like we just had Jenny move from the DV department into our department. So, just like halting movement and that's how she interpreted it. And she apologized for not realizing the meaning was moving desks. And I said, "*That's fine*." And I said *I still would like to maybe have a conversation and with regards to to this. Just, you know, at some point it would be nice. You know, to actually have a say. I mean, if they decide that no, I shouldn't have the desk, great. But I would like to. At least maybe be heard.* And she said, *you know, I agree. You know, we'll, you know, we'll see if we can maybe set something like that up*. And I said *OK great.* So, I was at my desk. And at that point. Constance had been in Tonya's office for a minute. I believe that Whitney and Tyler had had met into Melissa's office because, they usually have a pow-wow in the morning saying like, *OK, these people are out. This is the agenda for the day. This is how the day is gonna go*. And suddenly the door flies open at Tonya's office, and I see Constance because she has to walk past me, basically, to go to Melissa's. She goes barreling into Melissa's office with Tonya in tow, they get in there and I couldn't make out what they were saying, but all I could hear was screaming just…

VM: Do you know who?

JO: Yes, it was Constance. I didn't hear anyone else speaking. All I heard was constant screaming. And it wasn't very long, because then suddenly she, you know, the door flies open, and she comes like, straight to me, and she was crying, but she was also very, like angry. And she wasn't necessarily yelling at me. But her voice was elevated. And she said, and my notes might be more effective in some of this 'cause I did write it down more verbatim, but, she basically said something to the effect of, you know, "*I don't know, Janelle, I don't dislike anyone around here, and I don't where that's coming from, and I've done so much in this office to try to make it a better place.*" And then she kept bringing up the fact that, you know, she's been through so much and that, you know, people have really made her life hell. I don't know if she used that term or not, but that's the gist of it. She just kept saying that like she's been through so much in the office and all of this. And so, at one point I just was so shocked. I was like, can I give you a hug because I feel bad that you're crying. You know, like I didn't really understand where this was all coming from when all I was trying to do was move to a different desk, honestly. And so I just was kind of like and she just kind of kept going on and on and then talking about that, *the supervisors aren't doing their job and it makes her look bad. And she's the bad guy.* And I just was kind of like, *OK, can we maybe can we maybe just have a discussion somewhere instead of it being in front of people* because at this point it was closer to the 7:30 start time, so there were more people who had, you know, entered into the building. So it wasn't just like the few people who had come in a little bit early so. She eventually, you know, she said *Fine*. So we go into Tonya's office. And we were in Tonya's office, you know, and the thing is, is like, we didn't sit down. We just kind of like walked through like the front of the door and just closed it. And I know that some people heard the commotion, and I just was trying to talk like this. And Constance was still crying. And basically kinda saying the same thing about that the supervisors are, you know, not doing their job. She mentioned something about that she is broken that that this place where the people have broken her from

the Clerk's office and I was trying to just diffuse as much as I could and try to explain like. Just my, you know, I'm like, you know, *I'm sorry. You know that you've been through that. I mean, that's not coming from me*. And I said, *I'm sorry that if what I said about, you know, you guys hating me, if that is the if that's what triggered you 'cause I don't want anyone to feel upset by anything that I've said. did say it in a in a in an emotional state, but I don't ever want to see anyone crying or upset.* And she just like said *I can't. I can't. I can't handle this.* So she just left, leaving just me and Tonya in the office. So I just kind of looked at Tonya and I actually started to cry a little bit, which is not like me. I'm not someone who cries. You can ask my husband that. He could probably count on one hand how many times I've cried. So the fact that I that I got to that point, I feel like says a lot. I stopped myself and you know, I said *I really don't know what I did to deserve all this this morning.* I just sort of reiterated, you know, my point and I said, you know, *I do feel like the leadership, you know, there's a lack of communication between the leadership team and us*. And she tried to say that, you know, *the supervisors aren't communicating.* And I said, well, *I don't know if I believe that, but you know, even if that's the case. I feel like why can't you guys just come and talk to us? That I feel like there's just this divide. And I don't know why we can't just communicate together and why it has to be like*, yeah, *I'd like you can go to your supervisor or whatever. But why does you know, why does it always have to be relied upon, that the supervisor has to relay* and I said, *And honestly, I'm not sure if maybe you're believing what our supervisors are saying, and if you are just thinking that they have their own ulterior motives and it's not really coming from us.* And so she, you know, she said, *You know, yeah, maybe what we need to do is start coming to the leads more to, you know, have more conversation.* And I said, I *mean, yeah, I mean I don't see why that, you know, I don't know why that would be off the table for something like that.* And so I felt like at that point, Tonya and I had a fairly, you know, good conversation. And so I did tell her. I said if you speak with Constance because Constance indicated that she was leaving for the day because she couldn't It was too much for her to handle. And oh, and one of the other things too that I had said to both of them when they were in there was, you know, I felt like, yes, I said "Why do you guys hate me?" And in that moment, I feel like Tonya & Constance know me well enough because I've done some overtime stuff with them. So I've had more like interaction with them in that way. So they've gotten to know me in that way in that role. And they know that I'm, you know, and I'm also the one and only Morale Committee member that just is trying to keep the morale on a daily basis and trying to plan fun things on the side. And I said, *you know, you should know this about me.* And I feel like maybe the communication when I said that should have been like. Hey, you know, why don't we? Let's sit down. Let's talk. Like what's going on? Like, what do you need from us? Like I understand, this is a hard transition. Like, let's talk about it. But instead I was met with. What I was met with, I don't even know how to explain it. But I did after afterwards I had said, you know, when I was leaving Tonya's office. I said, you know, *please let Constance know that I I apologize. Like I hate to see anyone upset. I hate to see anyone cry. And you know, that was not my intent.* And so I went back to my desk and I was feeling OK. But I still was feeling very nervous, you know, with Constance now, I felt like maybe she now didn't like me. I don't know that something was gonna happen, so I had seen her walking around. About an hour later. So, I saw that she was still in the building and so I decided I sent her a little pop up

message and I said, hey, do you have time to speak with me? And she said *well, I'm in a meeting until 9:00* and I said *OK, would it be OK if I came over at 9:05?* And she said sure? So at 9:05 on the dot, I went over there to her office. And when I came in, I saw that Nicole from Pretrial was sitting in her office. And it I didn't. I was very tired. It was a long weekend. It was an emotional weekend with Becky leaving and everything else, so I just wasn't thinking clearly. What I didn't realize I was, I was thinking maybe she had just finished having her meeting with Nicole and she was just finishing up or something. So when I came in, I started to sit at the desk, which normally if I've ever gone over there, we know we sit at the desk and we talk. Constance was very standoffish. And she's like, *no, we're gonna sit over here. Nicole's gonna be a part of this because I don't feel comfortable talking to you without someone in the room*.

VM: Did she provide any other information about why she didn't feel comfortable?

JO: No. So I was like, you know, OK, I mean at that point I didn't. I mean, I'm like, I don't know why you would feel comfortable. I don't know what I did to do that, but that's fine. I don't care. Nicole can be here. I got nothing to hide, you know. It's just gonna be a conversation. And so. You know, I I sat down and I said that you know, I, you know, I believe that, you know, she now thinks that I hate her or something. And I wanted to convey that that is not facts that I never said that I hated her I or dislike her and I just wanted to make that really clear. And I'm sorry if that's how she was feeling. And she kind of said, *well, it's what you said to Tonya. A*nd I said, *Well, I didn't say that to Tonya.* And she said, *well, what did you say?* So I said, w*ell, what I what I said in a state of emotion and after being met with aggression. In a moment of being emotional, I said, "why do you guys hate me"* And she said, *exactly so by you saying that to my deputy Clerk, that means that you're saying it to me.* And I said, *well, I don't agree with that, but if that's how you you portray it.* And I said, *and I'll be honest, like I didn't really put much thought when I said it. So "you guys" could have just meant anything.* It just was, like I said, an emotional response in that moment. That's truly how I felt. But is it something that I probably should have said since it was an emotional comment? Probably not. And I said, *I apologize.* And I said *I'm not really sure how that turns it around to me hating you. But I said if that's what you took from it, I said that I apologize*. And I said *that's not that was not my intention at all.* I apologized a few different times because, you know, I I do feel bad. I don't want anyone to cry. She did kinda say *you've already apologized*. *You don't need to say it again.* So I said *OK*. She you know, I I tried to sort of like because I had a pretty good conversation afterwards with with Tonya. I felt like she was kind of listening to me a little bit more. So I wanted to maybe kind of like reiterate what I had said to Tonya. And so I was talking about the divide between leadership and the rest of us and she wanted me to define the leadership team. Which I feel that she's been very specific recently in her emails who the leadership team is. So I just reiterated, I said, well, it's, *I'm defining it the way that you've defined it, which is with Tonya, Nicole, Shanika and yourself.* And she goes *OK. I just want to make sure*. I'm like, *Yep.* And I'm like, so the leadership team and us. And she said well, *we have these, you know, regular meetings with the supervisors and the supervisors don't speak up* and and she just kind of went down this road about blaming the supervisors and how the supervisor made her supervisors aren't doing their job and make her look bad, and then this is

what happens. And then she had brought up a few different times about how she's just been through so much with the Clerk's office personnel and she's, you know, been treating poorly and all this kind of stuff and I said, well, I said *I don't feel like you and I have ever had any issue with that in that regard. I I feel like it's always been professional. I don't think that I've ever given you any reason to think that I'm, you know, whatever you know.* And she said, "*Well, yeah. And that's why it hurt me so bad. What you said*." I said, "*OK*." So, you know, I just kind of felt like it wasn't really a productive conversation. She maybe was too emotional, wasn't ready to have that conversation. So I kind of read the room. So I didn't really go down too much at that point and I just said, look, I said, *"What do you need?"* You know, and I and I and I did say, I said *I apologize that you've gone through stuff again. You know, I feel like you're maybe like, blaming me for other things that other people have done because you brought it up multiple times*. Like, I'm like in this *group of people.* And I said, and I don't really like and she's like, *no, that I'm not trying to say that*, but I'm like, *but you kind of kept, you brought it up a few times, and I'm not really sure what that has to do with all of this.* But you know, in the end I just kind of was like, *well, you know, what do you need from me moving forward to make sure that the communication is better and everything else*? And she said *I'm not in a state in which I can respond to that right now.* And that's how we ended the conversation.

VM: When did you write your contemporaneous notes?

JO: Immediately that night.

VM: And what spurred you to do that?

JO: I know that in the past there have been things that happened in the Clerk's office and an HR complaint is immediately filed, and so, I wanted to be protected.

VM: Let me just go back, and so, when you talked about the events starting on Monday, you made a comment that Tonya was coming down like a different hallway, and you thought that that was odd?

JO: What am I saying there?

VM: Yes, are you saying that her stroll down that hallway, which is not her normal routine was planned or…?

JO: I, yeah, I felt in that moment it was. I felt later on when I was thinking about everything because I already thought that it was kind of odd that she was going down, that row of places I and once I found out that an e-mail had been sent, I felt that it was planned and that they almost… that it was a setup in a way. Because I would be the only one moving a desk. There's no one else in there you know, with Becky leaving. No one else is moving a desk. So, I don't understand why I couldn't have just been like, "*Hey, Janelle, I don't know if you're planning on moving to Becky's desk, but don't do it."* Instead of kind of an e-mail. Which the e-mail wasn't even from my understanding, wasn't eve just about that. About movement. It was about a multitude of things, so it wasn't like it was just centerpiece. Like, hey, *don't no one move a*

desk. It was multiple things, so it was to me what seemed like could have easily been misread or like not seen within the e-mail, or like Melissa had said, you know, she she read it in a different way. And I think that that's completely plausible. So it did feel. It it felt strange.

VM: Is the desk still vacant?

JO: Yes. And it still has a lot of my paperwork over there 'cause I can't. I don't have room on my desk, so I had to put it somewhere.

VM: You also said that Tonya talked to you. Tonya went and talked to Constance. Constance left her office walked down the hall to Melissa's with Tonya in tow, and then you could hear screaming. What about the door? Was it open or closed?

JO: It was closed. I mean, she started to close it, and she was already screaming, but I couldn't make anything out. I couldn't make anything specific out. I know some other people had. They had heard my name.

VM: How was door closed?

JO: It wasn't slammed. If that, if that's the question. It certainly wasn't.

VM: So, after this event tell me about, you know, 'cause these kinds of things can raise a ruckus. My words, no one else's. But the employees that showed up to work in that time frame, did they come to you and ask like," *Hey, what's going on*?" or come to you and say, "*I saw that thing and that was weird."* Or *"What happened?"*

JO: Yeah, there were a few people who were like, they heard, and they're just like, *are you OK?* And you know at that point I just was kind of. I was very defeated for the day, so I I wasn't talking much, which to begin with is not normally like me. So I think people just kind of picked up on RC7 [redacted].

VM: So you mentioned that Constance was crying when she went into Melissa's office. Have you seen her cry before at work?

JO: Yes.

VM: What kinds of meetings or what kinds of circumstances?

JM I'm trying to recall. I do know that there was one time in a in a... I'm trying to remember. I do recall seeing it, but I just. I don't know in what context right now.

VM: You said that Constance made the comment to you that you know, she's been through a lot. Do you know what she was referring to?

JO: I really don't. I mean, I know that there have been. I mean, we've had a lot of people leave the Clerk's office, and I know that there's been a lot of turmoil with some of that, and I believe that some of it is something that you know involve Constance to some degree in the reason

for the leaving, and I know that there have been some HR involvement type things and so I don't know if it if any of I mean I'm assuming that that's what she's talking about. That's just my assumption.

VM: Have you had a chance to talk to any of the coworkers that have left and they've given you a reason why?

JO: Why they left? Yes.

VM: What were some of those reasons?

JO: Quite a few of them were due to Constance. A lot of them were upper management. Some of those people were under a lot of stress. I mean, I would witness them. A lot of them were like losing weight and being sick, honestly, before they left. My understanding is some of them were screened at in a similar fashion. I never witnessed it, so a lot of this was what I was told.

VM: And for this investigation, I don't need to know who relayed that to you, but was it one person that said they'd been screamed at? Three people? Or what's your best estimate?

JO: Probably four.

VM So then if I was to ask you if Constance's behavior last Monday morning was surprised you, how would you answer that?

JO: It surprised me in the sense that I didn't understand where it was coming from in that moment. Like because the only thing that had happened was my situation, and I didn't think that what I did should have warranted any of pretty much any of the honestly, but I didn't think what I had said or my actions or how I was speaking with any of them would have warranted any of that. And I didn't think that the supervisors should have been screamed at at all. I didn't think that it was that big of a deal if the supervisors missed that, I think that it would have been a just a really easy fix. Like *oh sorry*. Like, yeah, we kind of sent it out late last week. Maybe it got missed in the shuffle, like let's not move right now, right?

VM: And you mentioned that you've done overtime stuff with Tonya and Constance. What did you mean by overtime stuff.

JO: So, kind of end of last year, I want to say maybe starting in October, I'd have to look back. We've been trying to move stuff around from our records department because we're doing this big remodel, and so, we've needed overtime opportunities 'cause there's just not enough time in the day for us. So, she got it pre-approved. So, anyone who could sign up, there's a certain amount of people that could sign up. You could come in after hours, you know, after work, before work in some circumstances, and then on the weekends were usually the better time because then there would be a longer time period that we could be here to get more done. And those types of things were, you know, taking, you know, records out like we kept a bunch of wills through a bunch of the other stuff that already been scanned away, like filing stuff, putting stuff in new boxes, and writing everything in the box down 'cause then they're gonna be shipped somewhere. I'm not entirely sure, but somewhere to where if we need to recall the

box. So just basically offloading yeah and doing all of that. And I signed up for as many as I could. She had actually even sat me down and she had said she was gonna put it in Workday, but I never saw it, but she had said that a lot of people had commented about how much fun they had with me and that I was a born leader and that that I, you know, I really led the team, I mean, and there was no, there wasn't anyone really leading the whole thing, but she said that I took that. I would just. I naturally took that role on and that a lot of people came to her and said that they really appreciated me being there.

VM: Was Tonya ever present for any of those overtime opportunities?

JO: She was. She wasn't always in the room. Sometimes she was in a different room, but sometimes she was in the room working with us.

VM: Is that true of Constance as well?

JO: I was gonna say Constance usually would just kind of like show up, say. "*Hi,"* and then go to her office and do whatever. Sometimes Tonya and her would be somewhere else in the records area looking at stuff and planning, I think. But it's probably the most interaction that I've ever had with Tonya, because otherwise, most the time I feel like she usually just kind of sits in her office. And is she's in a lot of meetings, so she really hasn't come out and really talked to all of us that much. So it it it was nice, you know, and I and that's another reason why I like to do the over time was because I actually got to talk to people that I normally don't get to because, you know, usually I'm pretty busy during the day and just at my desk, so I don't really have a whole lot of opportunity to go and like really converse for any like the time with certain people.

VM: I know you said that Becky retired on Friday. Did you witness any of the leadership team come over and talk to Becky?

JO: I think Nicole said something, but outside of that I did not see anyone else.

VM: Are people still talking about this?

JO: Not that I've really heard. I mean, I've heard. I've just, you know, people will check in just like, you know, *"How are you feeling? How are you doing?"* Or whatever. But outside of that and you know. Not that I can think of.

VM: Have any of the supervisors talked with you about this event?

JO: Just immediately when it happened. And, you know, Melissa apologized to me. You know for me having to go through that. You know, for me, having to go through that.

VM What about Tyler?

JO He also apologized as well.

VM: Same day?

JO: Yes.

VM: Whitney?

JO: I don’t recall.

VM: Anyone we should talk to?

JO: I mean, unfortunately kind of the thing between like Tonya and I was just the two of us 'cause like I said, I came in early so. But I do know that Joey had, Joey was the one who heard the screaming in Melissa's office. Jerry, from our Judgment Team said that he heard it as well and he also heard her talking to me. He said he didn't hear me. But he could hear her. I know I didn't realize that Rayna was already there, but she mentioned that she heard the commotion, and she's actually the closest to Tonya's door. So she said that she heard some things. I don't know exactly what, but she said that if she, if she may have not heard specific, but she heard the commotion. I don't know if anyone else did. I didn't really go around too much just people I kind of approached me that they had heard things

VM: TH, do you have any questions?

TH: No I do not.

VM: JO or JH questions?

Closing comments, retaliation admonishment & EAP. End at 1:50 PM

I, Janelle Oleson, declare:

On the morning of March 3rd, I was in the office just after 7:00am in the morning. My intention was to start moving my desk to the vacant spot my LA3 predecessor had vacated as her last day was the previous Friday. This move had been pre-approved by my manager, Melissa Engler. It was always known that I would be moving once Becky retired so I could do my job more effectively in the larger space. My current desk is the smallest one in the cubicle area and I have the most work being an LA3 in the Docket team and having to train others and have to check their work, along with processing large stacks of Blake orders, along with my other normal duties. I am unable to effectively do my job at my current location with the space limitations.

That morning, I had not moved much because I was cleaning the area/desk first. I was halfway under the desk grabbing the recycling bin to empty it, when Tonya Moore (Chief Deputy Clerk) walked by and said "what are you doing?" in a very accusatory tone, not an inquisitive one. This was unexpected as I have never experienced a negative interaction with Tonya. I answered her that I was moving desks in more of a question because I was confused by her tone with me. She responded angrily "You aren't supposed to do that. We emailed the supervisors last week and they clearly didn't do their job in communicating that with you". This response also took me by surprise with how she was speaking about the supervisors and how she was speaking to me. I let her know I had already had preapproval from my supervisor, Melissa Engler, in case she thought I had not gotten approval to do so. She continued to say that an email was sent and the supervisors didn't effectively communicate. I explained to her my reason for moving to better do my job, and our newest addition to the team, Jenny, would move to my desk to be closer to me to help the flow of training, leaving her desk on the other side of the cubicles open and available for anyone who needed it, which is a larger spot than my current cubicle. She explained they had plans for the renovations, which I told her that I understand so I asked if we can have a discussion to figure it out collectively. The way she was speaking to me felt combative, and I felt as if I had done something wrong. I was already feeling very overwhelmed with Becky being gone and feeling the pressure of being her successor as she had set such a high standard. I also was worried about the potential new LA3 positions that had been posted. Reyna, who is fully trained in my team and someone I have always relied on for her work ethic, had applied for one of the LA3 positions. I assumed she would get the position given her extensive background with the courts and how she has performed while in the clerks' office. I was worried if she did get it and they decided not to keep her in the Docket, which would leave me in a huge detriment along with extra pressure on my team. I was also worried if they didn't give it to Reyna, that she would likely leave the Clerk's office. Reyna not getting it also meant IF they put one of the new LA3's in my section, I would have to train them from scratch and

I'm already training a new LA2 in our section, which is a lot. I have never felt the leadership team has ever cared about my docket team as they have never reached out to us to see if there's anything we need, or how to help with this major transition or change. It had been known that Becky was potentially retiring sometime after her 30-year mark. When I received my position, it had been discussed that the reason for my position was to absorb as much information I could before her eminent retirement. Initially she wanted a few years after her 30 years but ended up leaving earlier due to how she had been treated by the leadership team. All these emotions were already swirling around in my head. I felt defeated and upset the way Tonya was speaking to me. In that moment I said, very defeatedly "why do you guys hate me?". I'm not even sure why I said it, and I'm not typically emotional. Tonya stepped back and said "What?! No one hates you! Why would you say that". I told her I didn't understand why she was talking to me in the manner she was. I asked if we could sit down to have a conversation. She went into Melissa's office to vent her frustration that they hadn't "communicated" with me. I went out in the hallway to throw the recycling away and ran into Jerry Garber, who could see I was upset and asked how I was. I just said it was a bad morning, and I turned and saw Constance coming down the hall. I went back into the office to my desk where Melissa met me and apologized. She explained she had received the email late Wednesday February 26th, but it didn't resonate that it would include me moving to Becky's desk. She believed it was more for during the pending renovation and believed it meant more for people not to move into other sections. (For instance, Jenny Kestner just transferred to the Docket section for DV, so this is the type of "move" she interpreted as). She told me to just stay put for now. I explained my frustration and that my voice wasn't being heard by the leadership team. She understood but said for now we shall wait and see. She returned to her office.

A few moments later, Constance emerged with Tonya from Tonya's office, and they stormed into Melissa's Office. At that point, Tyler Wherry and Whitney Long were in Melissa's office having their morning check-in. Constance starts screaming at them before the door is even fully closed. I couldn't hear exactly what was said, but it was clear by the screaming that it was not good, and it felt extremely unnerving and uncomfortable. I did not feel anything that happened that morning or in any scenario that upper management should be screaming at anyone for any reason. At this point it was closer to 7:30am so many of the people who start at that time were in the office and could hear the commotion. Joey Sonntag mentioned that he heard Constance screaming my name and Melissa Bucknam's name but couldn't hear exactly what was said. Jerry Graber also said he heard the yelling. A few moments later, the door flew open to Melissa's office and Constance came barreling over to me, crying but angrily speaking at me in an elevated voice. She was saying "Janelle, I have been doing everything to make this place better, and I've been through so much in this

office..." she mentioned the supervisors not doing their job which then in turn makes her look like the bad guy. She also mentioned she's been under attack over the years in the office. It's hard to remember what all was said beyond that because I was just in a state of shock this was happening, but it was much of the same thing. I asked her if I could give her a hug because I genuinely felt bad she was crying, although I did not feel I had said or done anything to elicit such a reaction, and was trying to defuse the situation. I felt embarrassed because this was all out in the open for all to see. She ignored my question the first time. I felt extremely uncomfortable and felt that I was in trouble. I genuinely felt bad she was crying. I don't want to see anyone crying. I asked again if I could give her a hug and she declined. I asked if we could please go and have a discussion outside of the public eye, and she eventually threw her hands up and said fine and we went into Tonya's office.

Instead of us all sitting down at Tonya's desk, the door was just closed and we stayed just inside the door, so it didn't feel very welcoming. It felt very much like I was under attack, and Constance was playing the victim as if I had done something so terrible, when I do not believe my actions that morning warranted any of that. If anything, a discussion should have been held with me to see what was happening, to see if I was OK. I have never made waves in the office and I told them that. I said they should know me and who I am, that I don't wish ill-will on anyone. Constance said "I am broken, you guys have broken me". Again, I truly do not understand what happened with me that morning or any interactions I have ever had with Constance or Tonya to warrant the type of behavior I was receiving or witnessing. She blamed the supervisors for not conveying things she tells them and then that makes her out to be the bad guy, which I do not believe to be true. She also mentioned she has so much to do in planning for this renovation and she has to place 50 some people into new areas and it's quite the undertaking. I told her I understood and would like to be part of the conversation. She didn't seem very open to hearing what I had to say. The conversation only lasted maybe a minute and it was mostly Constance talking about how she is a victim, and then said "I can't do this, I have to leave, I have to go home" and just left without resolving anything and leaving me there with Tonya. It was the most unprofessional situation I have ever witnessed and felt very scared for the aftermath would be against me after this morning. I started to tear up, which is not something I typically do. I am not known to cry. I told Tonya that I do not cry and so if I am, that's how much pressure and stress I am under. The fact that I was not met with compassion and a safe space to talk was disheartening. Tonya and I did have a more conductive conversation at this point, and I told her I understood they need to prepare for this renovation and need to come up with solutions, but it would be nice if they would speak with us regarding this. I told her there's a disconnect in the office and I see it daily. I see our supervisors go into countless meetings, I hear that they are conveying things to our leadership team, but it doesn't seem like the leadership team listens. Tonya also tried

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to say our supervisors were failing us and that yes maybe they should be talking to us more directly. I agreed that yes they should talk to us directly to see what we truly need and how we are doing, but didn't agree about her viewpoint on the supervisors. I felt our conversation was a little more constructive at this point and I told her to please let Constance know that I was truly sorry for whatever I did to trigger her to feel as if I did not like her and that I don't want anyone to ever feel that way and it was not my intention. I'm not sure what I did or said to have made her react that way. I returned to my desk and started doing my work for the day. Melissa did come up to me and apologize and had mentioned that she is used to this behavior. She said she was embarrassed and very sorry that other people had to witness it and that I was roped into it, and I didn't deserve it. I told her that she didn't either, and no one deserved that.

At around 8:15 I saw Constance walk through the office so she did not appear to have gone home as she had said she would be doing earlier. I decided to reach out to see if I could speak with her and maybe try to smooth things over and do some damage control. I sent her a teams message asking if she had time to speak with me and she replied she was in a meeting until 9:00am. I asked if I could come to her office at 9:05am and she said yes. I was prompt in going over at 9:05am. The door was not open so I had to knock. Constance came and opened up the door, and seemed just a bit stand-offish. When I entered into the room, Nicole Cabrone was there. I assumed maybe they had the meeting prior to mine and they were just finishing up. I started to pull the chair out and Constance said "no, we will be over here at the table. Nicole will be sitting in our conversation because I don't feel comfortable talking to you without someone here". This literally blew my mind. I didn't understand what I said or did to elicit this type of reaction or behavior from her. In that moment I was trying to circumvent the situation and didn't understand what I had done to make her feel another person needed to be there. In retrospect, I should have left and come in with someone to also sit in to ensure what was being said would be accurately depicted. I sat down and I began by saying that I wanted to make it very clear that I don't hate her and I'm not sure why she would feel that way. She quickly said "Well it's what you said to Tonya". I responded and said "no I did not say that". So she says with an attitude, "then what did you say?". So I said "I said, in a moment of emotion after being spoken to in such a negative way, why do you guys hate me?", She then said that what I said was directed at her. I asked her how is it directed at you? To which she replied that if I'm talking to Tonya, the deputy clerk, and say "You guys" that that automatically includes her (constance). I do not agree with that, but I said that it was not something I meant and apologized if she felt it was a direct comment to her that I hate her. I really felt she was trying to twist things around on me and felt very gaslit. I apologized a few times and she said "I accepted your apology, you don't need to keep doing it". At one point I was trying to explain to her the disconnect with leadership and she was

very defensive and I could tell it was not going to be a constructive conversation so I did not really dive into that conversation. She wanted details and was questioning "Who do you mean leadership?" Constance has made it VERY clear in her emails who leadership is, and mentioned that and I said "Nicole, you..." and she finished with Shaneeka and Tonya, and I said yes. She then went into a tirade about how the Supervisors aren't doing their jobs and making her look bad. She mentioned that the supervisors come to regular meetings with the leadership team and they "never" bring anything to the meetings and they don't speak. It all just feel so gross and unprofessional to speak about the Supervisory team like this to a subordinate. At this point I just wanted some type of resolution. We never even spoke about the desk or any of that, which was really the only topic of discussion I felt was at issue this morning. I did tell her I felt like her reaction to me was based on what other interactions she has "had" in the office and that her and I have never had a bad interaction. She said she agreed we've never had issues, and that's why what I said hurt her to the core. She tried to make it clear that this wasn't about any other issues she has had in the office, but she brought it up when she was cry/angrily speaking to me at my desk, in Tonya's office and then again in her office. Why was she bringing up her own issues with others while in this moment then if it didn't have to do with me? It just felt very odd and I felt like maybe I should have had a representative with me this whole time to bear witness. I know she has quickly gone to HR on MANY occasions to file formal complaints about people when she feels "threatened". I would not be surprised if she turns this into an investigation on me at his point. I have nothing to hide and do not feel I have done anything wrong. In the end, I told her that I am sorry for what she's gone through and I want our office to be one unit, not factions. I asked what can I do moving forward to make that happen? What does she need from me? Her response was "I'm not in the right head space to answer that". I thanked her and Nicole and left the office.

I left that meeting feeling as if I now have a target on my back. I went into the office that morning with a sense of dread, knowing that I had a lot on my plate and wanting to be as successful as my predecessor. Knowing I had to pack up my Mentor's things and move on without her there to guide me. Feeling a bit lost. In a moment of sadness, I made an emotional comment to a person in my leadership team. That comment that I felt **they** hated me. Not of me having any hatred towards anyone. Instead of acting with compassion and saying "Hey, this isn't like you, let's go have a conversation and see what's going on", I was met with aggression and untoward behavior from the head of or leadership, Constance White.

About a month prior, on February 11th, we had our monthly Staff meeting, run by Constance. That morning she had a new executive counsel member present for the meeting, Scott Nicholson. He started the meeting and then turned it over to Constance. She gave us an update that 3 LA3 positions had been posted. 1 was from Grace's Vacant position when

she left the front counter a few months prior. She said the other two were for the Probate/Guardianship clerk position LA3 as the person holding that spot had just gotten a job in Jury Admin and her last day was the last day of February. The other LA3 was Becky's LA3 position, but it would not necessarily be for the Docket section. She made it clear in the meeting that none of the LA3 positions were promised a section, that they would make that determination as to where the need would be in the office for those positions to go to. She explicitly used Docket as an example stating "Sincé Janelle is already an LA3 in the docket, the other LA3 job would go where the need is.". After she made all her announcements, she opened the floor to questions. She went down the line asking people if they had questions. I ended up raising my hand, asking for clarification on the job postings. I said "I wanted to clarify I understood what you said, that the LA3 position would not come to docketing..." and she quickly retorted "NO, I did not say that.... What I said was, we will decide where the need was". I didn't feel I deserved to be snapped at in that way, and others had mentioned they felt she snapped at me in her response. My question was just to clarify I understood. I told her "Thank you for clarifying.". No one else had anything so the meeting ended.

I now fear for the repercussion this will have for me speaking out and potential retaliation. I know a records request will be made and this will be provided and it terrifies me this will be the end of my career in the clerk's office. I must be honest with what I have seen and witnessed. There has been a mass exodus of people in my office, some of which have been a direct result of how they were treated by Constance, and others an indirect result. I always tried to give the benefit of the doubt and hoped that it would get better. I've only ever wanted to come to work and do a good job and have a happy/healthy work environment. When I first started at the clerk's office, it was about 2 months before Constance started. My friends would ask how work was, and I always reported back that it was the best place I've ever worked! Everyone was so happy, everyone was excited to be there, people were friendly, there's was laughter daily, and it was just a great place to be. I still have held out hope to pull us all together as one team, planning fun morale things, trying to have everyone feel included. I'm trying to maintain positive morale, but it's very challenging and almost feels like an impossible mission most days. People are involved less and less. The leadership team rarely participates in these in-house events. The divide in the office persists and continues. Most of the individuals in the office feel alone. Our supervisors, Melissa Engler, Tyler Wheery, and Whitney Long work hard every day. They are in the trenches with us, helping us, guiding us. It's sad that Constance and Tonya speak so negatively about them when they are the ones running the show, ensuring we are all taken care of and ensuring the work is getting done. Without them, this place would literally fall apart. We are lucky to have them, but who knows for how long with the way they are being treated. Someone needs to do something and change for the better must happen, otherwise I fear this office will end up

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losing all the people who know how to run this office properly, leaving this office in dire straights and also the public will suffer.

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this declaration are true.

Signed at *(city and state)*: Tacoma, WA_____ Date: 3/11/2025

_____

Janelle Oleson, LA3 PC Clerk's office

March 11, 2025 | Meeting with Joey Sonntag | 2:30 PM -3:15 PM

Joey Sonntag (JS), Vicki Moll (VM), Tara Hallam (TH), notetaker (TH)

Introduction, admonishment and overview

VM So this morning when I we talked, I gave you a little bit of information. Are you surprised that Human Resources is involved?

JS Not for, I think the overall situation but I guess no, not too much. But I mean, I haven't. Anyway, I guess not too much, no.

VM So let's go back to Monday, March 3rd. What time do you normally get to work?

JS I start at 7:30.

VM And so when you got to work, what's the first thing that you notice that something was wrong. My word, no one else's.

JS I heard a door closed pretty loudly into the Manager's office that I sit pretty close to. Actually got up to go to the main to the back and records real quick. And then I could hear. I could hear a voice pretty loudly talking. And then I went back to the desk where I sit in the morning sometimes that's near the office. And then, yeah, I heard. And then I knew it was our Clerk, Constance White talking very, very loudly to the three managers. Whitney Tyler and Melissa. They were in there.

VM When you say that you heard the door close pretty loudly was that the door into the supervisor's office?

JS Yeah.

VM And do you have any idea who?

JS I don't know if it was oh, sorry, I, but I didn't see who closed it.

VM Who do you think it was?

JS Well, I think it was Constance because or I guess, Tonya, the Deputy Clerk. Because Melissa, Tyler, and Whitney were all sitting down at their spots in there, and I knew they were already all in there previously, before Constance and Tonya walked in there.

VM From where you sit, normally, where your desk is, can you see into the supervisor's office?

JS A little through the door and the window – both if the blinds are open, which they were.

VM How long did it take for you to figure out that Constance - you said her voice was loud, I think, talking pretty loudly - can you attach an emotion to that? Was she angry? Mad? Sad? Happy?

JS I felt very angry. I thought she was yelling at them directly. That's what I thought.

VM Could you make out what it was about?

JS I didn't. I learned later about what it probably was about but through other people. I learned from Janelle.

VM Had you seen that kind of behavior or heard that kind of behavior before from Constance?

JS No.

VM Were you surprised?

JS Yes because it was in main office. It was pretty, I don't know, it made me uncomfortable for sure. Cause. Yeah, it was really, really loud and. Yeah, it just didn't seem. I don't know. It didn't seem appropriate for in like the middle of the office to do something like that, but I was surprised. That that it was happening right there, I don't. I don't think I'm surprised that that did happen based on what I've heard in the past, but.

VM What have you heard?

JS just that she gets very upset with people. I don't know. I just. I've heard that she's yelled at people before.

VM And you've categorized the level of her speaking as yelling. Was it yelling the entire time? Was it screaming? Did it get louder? Did it get quieter? Tell me something about what you observed.

JS Yeah, it was pretty much the same tone. I mean, it wasn't like long. I mean, I wouldn't say it was more than. I mean, it probably felt longer than it actually was. I mean yeah, based on what I heard, it was probably 30 seconds. It's probably a few minutes overall, but I didn't hear all the words 'cause I didn't hear the beginning or anything. That's why I didn't even know what they're talking about.

VM Do you know what transpired after Constance left the supervisor's office?

JS Well then Tonya stayed in there. And she was talking to them, but not not nearly as loud as Constance. I didn't hear clear words that she was saying. I could hear her talking, but I couldn't hear words 'cause it was not.

VM Can you recall any words?

JS I only I feel like I heard, *I do everything that I can*. That's, but that's all I heard.

VM And that was attributed to Tonya or Constance, OK.

JS No, that's what Tonya said, yeah.

VM *Everything I coul*d or *everything I can*? Sorry I missed that.

JS I believe I heard everything. *I do everything that I ca*n that that. Yeah.

VM Do you know other employees that witnessed this. Either you know, saw some of it, or heard some of it?

JS I do not.

VM You said it was made you feel uncomfortable. Uncomfortable. Did it make you feel anything else?

JS I mean, yeah, it was very I was very uncomfortable. It was very. Yeah, I was shook up. I had to be honest just cause. Yeah, it it was very. It was very intense. And I just, I don't know. I just have a heart and I feel I felt bad for them. 'cause I thought they were. I thought the managers were getting yelled at and I just. I just felt for them. Because I just didn't think, you know, if they did stuff wrong or whatever. Like, I just, I don't think anybody deserves to get yelled at, especially in the middle of the office, where other people could hear it.

VM Is that behavior that you witnessed with other managers other than Constance?

JS Not at all.

VM So what are some other words you would ascribe to that short transaction? Professional, not professional, respectful. Not respectful. Borderline. You have any other words around that?

JS Yeah, definitely not professional. Yeah, not respectful. And then -she had to have known I was right there when she came out of the office, and then she just walked the other way and never. So yeah, I mean, she never acknowledged that she acted like it never happened. And I'm talking about me personally. I don't know about anybody else.

VM And you said that you talked to at least one other employee about the event. So what did the other employee relate to you that that this whole thing was about?

JS Janelle wanting to move desk. So yes, Becky retired, who was here a long time. And then Janelle, I think was planning on moving to her desk the whole time. And then I believe she got told, and it's not gonna be her desk. So she must have. This is where I honestly don't know if she complained or she said something, but well, she obviously must have, because that's why this whole ordeal happened. I just don't know what to be honest but.

VM And there were a lot of people, as you said, that heard this. So doesn't mean that it was Janelle that that brought the issues to Human Resources, but.

JS But I do know that's where it stems from.

VM Are people still talking about this?

JS Not that I know of, but I'm I'm really busy at the front counter, so I and I normally stay out of a lot of office politics. For the most part, I mean, I like to know what's going on sometimes, but. But yeah, I'm really busy at the counter most of the day so.

VM Tell me about office politics since Constance was hired about three years ago. Is it the same as before?

JS Well, no, I mean a lot of people that I've worked with for years and years are gone. Because I think she got rid of them. You know, you could, and to bring her own people in here and I mean the tone in the office. I mean, it's a totally different office now, which I mean change happens and I'm fine with change, but I think there were some good people they got rid of. Chris. Seems like what kind of seems like she went after him to get him out of here.

VM Was he targeted?

JS Yes, targeted for sure. I mean, yes.

VM Do you think that the people that left gave Constance a fair shot when she got that job?

JS I don't know just because a lot of it was the manager, so and they have their own meetings and they talk months themselves mostly. And you know, we're separate. Our regular employees are pretty separate from the managers, so that I cannot answer. I know us employees did the regular workers as a whole, we did for sure. We welcome her in. We got a gift for. After that. Anyway, yeah and. It seemed like it was. It was gonna be a good a good thing, but. I mean.

VM What gift did you give her?

JS I think it's a good thing for her people, but oh, wait, wait. I think it was a. Oh my gosh, I can't. I can't even remember. We just went in. You know we, well, pitched in money. I don’t remember.

VM So do you have a point in time where you thought, you thought it was gonna be good, then you realized it wasn't going well?

JS Yeah, probably about six months into it. When she started going after Chris Hutton, who was planning on being the next Clerk. No, he pretty much ran the office for a long time, even when Kevin Stock was here. He was respected by most people.

VM Why?

JS Beause she wrote them up and stuff. Where to make? Yeah, she she went after him. And so he felt like, I think he felt like he had to get out of here before he got fired.

VM Did you see anyone ever treat Constance disrespectfully?

JS I personally have not, no I'm not around her too much though.

VM Has anybody ever said any of the office politics talk about, you know, people ganging up on Constance with an agenda or anything?

JS No I've never heard that before. Not that I'm aware of, no.

VM So I don't want to put words in your mouth, but what I'm hearing from you is that it to your best of your knowledge, is that the workgroup welcomed Constance in and has treated her appropriately in the position that she's in?

JS Yes.

VM So I'm just asking you to play along and tou know, there's no wrong answer and there's no right answer, but - if I could, this is the sentence I'm asking you to ask yourself - *if I could change one thing about the clerk's office right now. It would be, what?*

JS For everybody to get treated fairly.

VM Whos not being treated fairly?

JS The people that have more here before Constance got here. So there's there's a major separation between the people that she has hired and the people that were here before.

VM And is it the people that that the difference is coming from the new people? Or is the difference coming from the way they're treated by management?

JS Treated by management. Yeah, no, they're they're fine. Yeah, I have nothing against them.

VM Can you tell me how they're different? How management's treating them differently?

JS I heard that one employee, I don't know if it's true though, so but, said said that - *Don't trust any of the people that were here before her.* But then I know that Casey her her, her assistant, Constance, her Assistant Casey, would take them out out on break and, like, go walk them and buy them coffees and stuff like that. And then I've heard that she's real close with a few people that just got promoted that haven't been here very long, especially one that's been here maybe a year. And I've heard that she buys She, like, buys her gifts and stuff. That's just what I've heard. I have not seen it myself though, so I don't have personal knowledge on it.

VM So who's the people that got promoted recently? That it's, and you did not use this word but I'm just for being concise, is that there could have been a a favoritism thing?

JS 100%

VM Who was hired based on that?

JS Brenda Clark and Jalea. I don't know her last name. But I like them personally, I have nothing against them. Personally, I like them.

VM Hypothetical: Who's to blame for what happened on Monday the 3rd?

JS Constance White.

Vm Is it 100% or 75%?

JS I mean, 100 'cause. She's. Yeah. She's only voice that I heard yeah. And yeah, this is, this is why this is uncomfortable for me today. I feel like I'm gonna get retaliated against now

for this because I know she does public. You know, she's gonna read all this stuff, so that's not fun, but. But I'm still going to be honest.

VM Well, we keep it as confidential as we can until a public records request is made And TH, step in here if I misstate this is that you know, depending upon what the allegation is, there are times we can redact information and it's my practice to tell people when we release records and I don't know if Pierce County always does that, but I would try to do this in this instance.

JS OK

VM I want to ask you one more question about Constance and that is that you said she was crying. Oh, no, you said she was yelling.

JS Yeah. Well, she was in tears when she walked out.

VM She was in tears?

JS It looked like when she walked out, yes.

VM OK.

JS 'Cause then yeah. She played the victim role, it seemed like.

VM Was she in the office when she said that? Or was she leaving?

JS It was the last thing she said before she opened the door.

VM Do you know that the context was?

JS Well, this is where I, so I didn't know at the time, but I believe it was just about Janelle wanted switching desks, so yeah. Then I was like, oh, man, all that for that minimal. I mean, it just seems like a very low. This doesn't seem very serious to to get that that that, that emotional for.

VM TH - any questions for Joey?

TH I don’t.

VM I am asking you to keep this as confidential as possible because we still haven't quite figured out the whole picture here yet. So if anyone should ask you, you can always deflect and say Vicki and Tara ask me not talk about it.

Closing comments / retaliation / confidentiality / EAP end at 3:02 PM

March 12, 2025 | Meeting with Nicole Carbone | 10:00 Am – 10:45 AM

Nicole Carbone (NC), Vicki Moll (VM), Tara Hallam (TH), notetaker

Admonishment and meeting overview

VM So us talking today about issues in the Clerk's office, does that surprise you?

NC So, this meeting does not come by surprise.

VM So going back to Monday the 3rd. Something started to go wrong in the office. What was your first recollection of that? Or do you have did you have a moment in time where you knew something was amiss?

NC Yeah. So I the morning of the third, I had a 9:00 AM check in with Constance. Her and I normally have either weekly or every other week one-on-ones. And so I had a scheduled one on one with her at 9:00 AM so I was not aware of anything going on up until that point of me going into her office for the 1:1. In terms of where I'm physically located compared to the rest of the office, my team we're kinda in a little bubble. We have CGIS requirements with locked doors and we're not attached to the main office and so a lot of stuff that goes on across the hall such as this event this morning or that morning, I am typically not in the loop of. Not a witness. Do not observe, etcetera. So my first alert to the situation was when I walked into Constance's office for my one-on-one. When I walked in. Tonya was in Constance's office, and they had let me know that situation had taken place where Tonya was walking by Janelle's workstation and Janelle was in the process of moving desks, which is - the two desks are, like, right across from each other, essentially. And what it was was that Tonya had asked Janelle why she was moving desks, and Janelle responded very emotionally, saying *why do you guys hate me?* That was all the information I was given at that point in time. I was then told that Janelle had just Teams messaged Constance asking if she could come over to talk to Constance about the situation. And I was told that Janelle was gonna be over at 9:05. Constance asked, given I was already over there, to meet with her for my one-on-one as I was not a part of the situation that took place in the morning. She asked if I could sit in on that discussion as a witness in more of a neutral individual who was not involved in that situation that morning.

VM What time do you normally get to work?

NC It really depends. On that Monda,y anywhere between 7:00 to 7:30 in the morning.

VM What was Tonya's demeanor in Constance's office, during your short time in there?

NC Yeah, she seems fairly calm, but like upset/disturbed by the situation. But her demeanor was calm as we were passing by, but bothered that the situation had taken place.

VM But could you tell if she was bothered by the employee moving or the statement that was made?

NC The statement that was made. And I think when I say bothered, I think the other piece of information… To kind of go back to what I think upset or disappointed her was that the supervisors did not follow through with their component that was communicated to them. So to back up to the situation, we had a management meeting on February 19th in person on the 10th floor. Those management meetings we have monthly and those include all of the supervisors as well as our Leadership team and then also typically depending on the month, Stephen who oversees a Law Library, 'cause he reports to the Clerk's office oversees certain components of that as well. At that meeting, it was verbally shared or directed for the supervisors to ask staff to not have people move desks. And that Constance had shared at that meeting that she would send something in writing for them to pass along to their teams. My understanding of the intent of that messaging was for two reasons. One, we knew that we had two individuals in that area that were leaving the office. One was retiring. One took a job promotional opportunity with Superior Court, and their last stay was the last. The last Friday of February, so the 28th. So we knew that those two spots would be open, but obviously we would need to fill those spots. And then the biggest driving factor was the remodel of the County-City Building and that there was an upcoming meeting scheduled for March 7th to talk about timelines and renovations, starting those renovations are gonna be starting in our records area and so we are gonna have to move staff around. The other component of kind of that intent is that my division got three additional staff and we don't have spots for them to go, so I am leaving my office 'cause I would rather disrupt my day-to-day than my teams, but I have to be placed - I have CGIS requirements based on the work that we do and the rest of the office does not, and we're not gonna ask them to do that because that's not a part of their job functions and they're a part of the union. And so there's a lot of moving parts. So that discussion verbally had taken place at our management meeting on February 19th in person, and that was the intent behind that messaging was the remodel, we know we have some folks retiring or moving on to new opportunities until we have a confirmed timeline, we are asking folks to stay put where they're at. Following that, Constance sent an e-mail on February 26th at 9:37 AM, it was sent to all of our supervisors and then she cc'd Tonya, Shaneeka and myself on it. And that e-mail asked the supervisors to advise their staff to not relocate from their spaces, and she explained that there was a meeting scheduled on March 7th with regards to the remodel and that staff were to be notified. So back to Tonya's demeanor. When I was in passing with Constance's office, my impression of, just the frustration, is that this situation could have been avoided if that information, if the supervisors did indeed pass on that information.

VM What was Constance's demeanor?

NC Similar. Calm but upset that the situation took place and I think frustrated with the supervisors cause from later on, of discussions I've had, it's my understanding that after Constance was alerted to the situation, she went into Melissa Engler's office and all of the supervisors were present in there. Or when I say all the three supervisors that oversee the main Clerk's office division. So that's Tyler, Melissa, and Whitney. And it was indicated that Whitney sent the notice to her divisions, which Janelle does not report to Whitney. But Melissa and Tyler did not send that communication to their teams, and Janelle reports to Melissa. And so again, I

think from my impression in passing was just the frustration that there was that disconnect in communication when there was clear directives given to the supervisors and that the situation would have been avoided if the staff were alerted of that messaging.

VM So now Tonya leaves and what happens next?

NC Yeah. So, Constance and I sit down and Janelle walks in and in, coming into the office, Constance just let Janelle know that I was there just as a third party to be a witness to the discussion. And Janelle said, *OK, no problem*. And Janelle, we're sitting at a round table, Janelle and Constance were sitting across from each other and I was kinda in the middle around the round table. The discussion between Constance and Janelle was directly between them. I never spoke. I was watching body language eye contact. The eye contact was directly between them. I was just kind of a witness there to that discussion. So when Janelle came into the office and sat down and her Constance started discussing Janelle. Both of their demeanors were calm. They had a very back-and-forth discussion. Of any emotion that was present, it was very calmly displayed. There was no raising of voices. There was no yelling. No, like outrageous physical hand movements of, you know, talking or anything of that nature. They were sitting down and engaging in a dialogue about the situation in a professional manner. From my perspective, when Janelle sat down, she said that she wanted to come over and apologize and see what she needed to do to essentially resolve this situation. And essentially, she said that she feels like there's a lot of in that moment she was feeling a lot of pressure on her on her. She did not clarify what that pressure is. Who was that pressure is coming from? I can make an assumption when she says pressure: One of the Legal Assistant 3's (LA3) from her division, who had worked in the Clerk's office for 30 plus years, retired that prior Friday. So I would assume her feeling pressure is, you know, being down an individual in her division that had a lot of institutional knowledge and did a significant large volume of work. But again, that's my interpretation of what she was implying by pressure. She did not define what pressure meant. So with that, she just said she was feeling pressure and responded any emotional response and said that she does not feel like Constance or Tonya hate her. She said she was not sure why those words came out of her mouth. And that was just based off of how she was feeling in that moment. That was her emotional response. Constance's response to that was Constance acknowledged that she accepts her apology and Constance made it very clear that neither Constance or Tonya hate anyone, and Constance's main point was just that words matter and in the professional setting we should be careful about the words that we utilize. From Constance's perspective, the word hate can have a strong meaning behind it and we should be cautious again as to the words that we use. Janelle's response to that was I didn't say *I hate you guys*. As I said, *you guys hate me*. But nonetheless, Janelle just kept apologizing. And Constance politely told Janelle, you don't need to keep apologizing. I've accepted your apology. And then Janelle was asking what she needed to do essentially to resolve the situation. One thing that stood out to me in that meeting was Janelle kind of diverted to say that there was a disconnect between the Leadership team and the staff in the office. Constance asked Janelle to give an example or what she meant by that, and in that meeting she did not give an example. She did not share what she meant by that. So in response to that comment, Constance just explained that in general, you know, we meet with the whole management

team on a monthly basis to share information. We also have monthly All-Staff meetings, Constance explained to Janelle in those all staff meetings, it can be challenging to share lots of information. They're normally kinda shorter check ins, you know, office wide. We have a lot of divisions, a lot of different work going on in our office. And then Constance also shared with Janelle that Tyler, Melissa and Whitney, so the three supervisors who oversee the main divisions of the Clerk's office, had come to Constance a while ago and felt like it would be beneficial for them to have their own check in with Constance and Tonya monthly, in addition to our Management Team meeting. So that way they could address more specific challenges, improvements, projects going on in their division. So that has also been implemented. And so something that you know, Janelle had said that she just tries to follow her chain of command with regards to issues, but she doesn't feel like all the issues that are going on in different divisions are communicated up to the Leadership team and so there was just a discussion of again, how often who we meet with, whether that's the Leadership team, the Management team, those supervisors. Constance reiterated, you know, *I understand and respect you wanting to follow the typical chain of command. But if there's anything at any point that you know needs to be addressed and you feel like it's not being addressed like I have an open door. You're welcome to come into my office. If I'm available, I'm happy to meet. You're welcome, and anyone in the office is welcome to Teams message me at any time and schedule a meeting, I am here to support the office and available.* And so, Janelle said, *thank you.* In terms from there, Janelle looped back to, you know, *what do I need to do from here or how do we resolve this?* Constance said that she was not in the correct space to talk about that and that. Maybe in a few business days they could reconnect and have a follow up discussion. And that essentially is what I recall from the meeting. Janelle thanked her for her time and the only other thing that Constance did share with Janelle was also, as I just tracked out, that there was an e-mail sent to the supervisors. So, Constance did share that information with Janelle in that meeting, that should have been sent out to the staff to give notice. This was not a situation where Tonya just felt like one day, you know, to stop someone and ask why they were moving desk, that there had been multiple discussions and communication with expectations that were supposed to get communicated out to everyone, let me just recheck the notes that I took of that meeting…

VM Can you forward your notes to Tara and me?

NC I can do that.

VM Was anyone crying in the room?

NC Constance was. Janelle was not. And something else Janelle kind of on that topic had made comment of which I may have alluded to. As well in the emotional response, Janelle had said, I'm not a very emotional person, so like this situation, my emotional response to this kind of caught me off guard. She said me, Janelle, off guard in that situation. So Janelle was fairly stoic, no significant kind of physical, emotional signs. But Yes, Constance was not hysterically crying, but in times she was tearing.

VM Teary or more crying?

NC I would say more teary. She wasn't like actively like, bawling, crying. She was just tearing up as she was talking. And it's my impression, based off of Constance's emotional state of, you know, being teared that she wanted to kind of regroup herself. And that is why she responded to Janelle, let's connect in a few days to have a follow up to determine next steps kind of forward. The other thing that Janelle had shared in that meeting is that she had met with Tonya after this incident took place as well before coming over to Constance's office to talk with Constance. And I think it was just Tonya and Janelle that had met. I would assume that was in Tonya's office. I don't have that information. I was not present for that, but Janelle had just commented that from her perspective, she felt like she had a good meeting with Tonya about the situation.

VM Anyone talk to you on Monday, March 3rd about this event.

JC No.

Vm Anyone else subsequent to Monday?

NC Yeah. The only three people I've had discussion about this incident with this, Constance Tonya and then Janell in that meeting.

VM Have you seen Constance get teary in meetings in other meetings?

NC Yes.

VM Do you remember what the meetings were about or when?

NC I would say I've seen Constance teary at a handful of meetings. Normally, those meetings are just with our Leadership team. So that would be Shaneeka, Tonya and myself. In terms of topics, it's like a wide variety. My interpretation, and again, this is just my perspective, is that there are so many pressures/ projects/ challenges/ audit/ other stuff, and I just think all of those pressures, like sometimes when we all sit down to work through some of those challenges, it's just a lot of pressure. And she, yeah, sometimes gets teary eyed as we're trying to process and work through some of the challenges that have been facing this office.

VM Are there other people in Clerks office that you've seen cry?

NC This morning, Shaneeka was teary eyed. I saw her in the hall again. She's our Fiscal Manager. With this audit and some other stuff and pressures, I know she feels at capacity, and just very stressed and overwhelmed. Umm, outside of that. Not a specific situation that I can recall. Again, I I spent a lot of time with my division in Pretrial. And there's no situations in our division that I have seen folks get teary eyed. And again, I I don't spend a ton of time. I try since I am on the Leadership team, I try to pass through that space and just be a friendly face and say hi to folks and sometimes have some small talk to kind of get to know some of the staff, but I don't take lunch breaks. I don't go to our lunch room. So I'm like I said, pretty isolated to my space and Constance's office space is like on the same side of the hall that I'm on. And so I'm not around a lot of our office staff on a daily ongoing basis. I try to pass through here or there. So that way, if folks want to approach me, I'm available. They know who I am, but beyond that, yeah. I'm not with the main chunk of our office across the hall from me.

VM Have you seen Shaneeka get teary eyed or cried at work before?

NC Probably. At some point and again, that situation would be very similar. With last year's audit and just the pressures, a lot of that is funneled through her trying to understand the scope of her job, I think, you know, lingering kind of mismanagement, misunderstanding of how tasks are supposed to be done related to some of those tasks within the audit. And so she works really, really hard and really, really long days. Umm, and I know she's been really committed to continuing to do the work and trying to stay focused on it, but there has been a lot of pressures and I've been in meetings, you know, with prior administration when we were kind of preparing for the audit that we've they've been going through currently. And again, just some of those pressures, I think. Just that sense of feeling overwhelmed. So I don't have a specific meeting that I recall that, but I am sure not on a frequent basis "is she teary eyed?" But I think right as you kind of ride the waves of different projects deadlines things going on there have been significant pressures specifically on her and her role, absolutely.

VM Closer to the beginning of when we started our meeting, you talked about the meeting on February 19th where it was relayed that there was a project coming up and Constance would follow it up with an email. Was she teary eyed at that meeting?

NC I don't recall her being teary eyed at that meeting, no.

VM At that meeting, was there a discussion about a binder?

NC So I, yes. So that meeting that was one of the last items that we covered at the meeting. There was a red binder that she had, a maroon binder, that she had sitting on the desk or on the table. What I recall from that meeting is she informed everyone in the room that day that her and Tonya had located that binder. She explained that she had gone back into the records area. I don't recall on what day it was, but within a week or two of us having this meeting and saw an employee really struggling with putting a piece of paper into that binder and Constance asked, you know, *is there something that I can help you with*? Not knowing what that binder was and the employee just acted very frantic and was trying to just shut the binder in a drawer. So, Constance did share at that meeting that she went on her way, but she did go back into that area after that employee had left and searched in the drawers and located the binder buried under paperwork. And I don't recall what the name of that binder was titled, but essentially it had documents that have come through our office. Been printed out that, umm, employees from our office have contributed to for many years. I'm aware that there was two prior binders located previously. And they, you know, one was, "funny names" that have come through. Another one was just miscellaneous stuff that staff found funny. But there's a lot of information in all of those binders that violate our confidentiality agreement that we sign. There is sealed information that should not be printed out and placed in a binder, so definitely mismanagement and inappropriate, unprofessional behavior with regards to the very sensitive information that our office works with. So Constance passed the binder around the three supervisors of those main divisions saw it first. From my position, kind of watching body language, they kind of looked at it as if they had never seen it before. Kind of flipped through some of the pages. And it got passed around the table back to Constance. Constance's messaging was she informed

everyone that she had located 2 binders previously. She was unaware that there was any more binders. I know from information she shared with me previously, I think she had discussed with HR related to the binders as well as Bruce, the prior County Executive, and Dan, as to what to do with those binders and how to handle it. She was hopeful that by removing those two binders that that would send a message and folks would stop contributing that type of unprofessional material into spaces such as those binders. And essentially, she calmly, but firmly, communicated that she was very disappointed that this type of behavior has been determined acceptable over the last many years, and that it's the culture of our office and that moving forward like this is not gonna be acceptable. And so she put a request out to everyone at that meeting that if they were aware of any additional binders in our office that they needed to bring them over to her office by close of business day that day, no questions asked. And just moving forward, that they needed to ensure that these binders were not present in our office. I will say, Tyler and Melissa were pretty teary eyed as that binder discussion was going on. And I do know after that meeting Melissa came into Constance's office because she was worried, I think, about her job security. Because she did inform Constance that she was aware of those binders existed. And I think that she had contributed to them in the past. I don't know if that was in a supervisor role or not. I was not there for that discussion, but I was informed that she was the only supervisor that came over after and specifically acknowledged about knowing about the binders apologizing and indicated that she was not aware that of any additional binders. And it's my understanding that no additional binders were turned in by the end of business day that day. And then oh, sorry, I was gonna say, and I would have to go back into my e-mail. Constance did, I know she had talked to Scott about this as well. And Scott directed Constance to send an office wide e-mail about the binder. I know she had talked to Scott about this as well. And Scott directed Constance to send an office wide e-mail about the binder. So Constance did, and Scott was cc'd on that. And basically, it was the same request to the whole office, essentially explaining that she's aware now that these binders exist. This is not acceptable. This violates our confidentiality. The agreement that we all sign, she attached it to the e-mail for reference. And put the same message to the whole office as she did our management team if anyone's aware of any additional binders please turn them in by the close of the following business day no questions asked,

VM Can you fwd that to TH and me?

NC Yes. Oh, and I was just gonna add. There's been a follow up e-mail about confidentiality agreement stuff that I could also forward related to Jessica's situation with my team. Again, mishandling inappropriate behavior in the main Clerk's office. Information sharing that was unprofessional, and so Constance did talk to Scott and sent an additional e-mail. And that was something, Jessica's name's not in it, but the timeline of it, obviously it's very clear the situation that she was referencing, so that was one thing. When Jessica returned, I did sit down and have a discussion with Jessica. I would rather be transparent with my staff, so that way she didn't just come across that e-mail on her own. So Jessica and I have had a good discussion kind of about that situation as well.

VM In the February 19th meeting talking about the binders, was there a conversation about a letter?

NC Yes. Yeah, it was my understanding. One of the documents in, I think, that maroon binder that was located, was a letter that maybe a mother had written to their son who was in custody and Constance had used that letter as an example of something that was in the binder. And our office's role in passing information along. So we get like a lot of jail mail that's sent to the office and that has historically been something that's been placed into these binders. And I'm not sure what our offices were like, what the processes in us getting that mail and who that mail is supposed to go to? I'm not involved in that component of our office and that work. But Constance had just used that as an example. And a lot of time had passed and that she just had said if she had a son who was in custody and there was, you know, mailed that. You know, would want to have trust in the system that that mail would get delivered and Constance had indicated that it was disheartening to her that our office has been a keeper when we're supposed to kind of be a middle man of this information in the binder and that she hopes that both the son and the mom are still alive. And she'd indicated that maybe she was going to try to get the mail to where it needed to go.

VM Was she teary eyed in that delivery of that message?

NC I don't recall her being teary eyed in that meeting at all. I was not sitting… I was at a far opposite end of the table and not like directly across from her, but again, I don't recall her being teary eyed in that meeting. In her tone of voice, like there was a sense of disappointment in, you know, sharing this information and frustration. But it was a very calm discussion, information sharing. She was firm in her directions to the staff, but when I say firm not in like a disrespectful, unprofessional way. I think it was just clearly communicated from a place of frustration and caring of the information that we have not properly handled.

VM There's been a lot of turnover in the Clerk's office. Have you heard people talk about that?

NC I have not. Outside of me being informed like, oh, this person's, you know, submitted their notice or they're moving on to this opportunity. Yeah. Again my, I feel like I'm kinda in my own little world with my division. Obviously, we're housed under the Clerk's office, and yes, I work a lot with Constance in our Leadership team. But the work of my division really doesn't fit within the Clerks office.

Buffering 10:39 AM

Vm You broke up – you were stating that your work doesn't fit with Clerk Office…

NC Yeah. So with that, I was just saying I am aware that yes, there's been turnover prior to me coming here. I started in December of 2023 and since I have been here, been here. Yes, there has continued to be turnover. With that, I was just saying that the division that I work within, I have not experienced any turnover and I'm not… I'm not anyone's… I don't oversee the supervisors of the staff of the division that have experienced turnover. So I'm kind of the least familiar with. I think probably the vision of what could be driving that or not driving that, but since I am on the Leadership team, I am informed when someone's given their notice, etcetera.

VM Did Constance hire you?

NC Yes she did.

VM I want to ask like a percentage question. Because you indicated that the conversation that Janelle and Constance had was about the words that Janell used. And I think you may have said this before, but, in your opinion, was the whole 'debacle' - my word, no one else's - was it 20% about the employee moving, 20% about the communications, 60% about the words used? How would you attribute the percentages to the issues of the employee moving communication breakdown - again, my words. no one else's - and then the words that Janelle used?

NC That's a great question. So the situation that took place: the words, and then… Ehen we say communication, like are you referring to kind of the breakdown in communication between the direction that was communicated and supervisors not sharing that with their staff? I mean, obviously the situation started with the move. So obviously that's definitely a component. I mean, I'd say maybe 30% related to the move. Yeah, I mean maybe 30% related to the move. 30% related to the communication and 40% related to the words that were used. Obviously, those were all key dynamics. In the meeting with Janelle, like think, obviously the meeting was about the situation as a whole. But there was an emphasis, a little bit on the words used for sure.

VM Did do you know what happened to the first two binders? Going back to the binder issues?

NC I do not.

VM And did Constance say in that meeting what she intended to do with the maroon binder?

NC I don't know that she said what she was gonna do with the binder itself, other than she had just shared with the whole meeting that there had been discussions with Scott kind of seeking guidance of how that situation should be handled. And it's my understanding with the prior binders that there had been discussions with your guy's' office as well as them Execs office. But I wasn't a part of any of those discussions related to those binders

VM TH – any questions for us?

TH None.

VM Nicole, do you have question for us?

EAP / Admonishment / Closing Comments: end at 10:47 AM

NC Follow-up items: And then in terms of next steps or what I owe you guys essentially just to make sure I have my notes correct, my notes from the meeting with Janelle and Constance and then forwarding the two emails, one related to the binders to the Clerk's office staff and Then one related to the follow up e-mail, again

related to confidentiality and kind of the situation that took place with one of my team members.

March 12, 2025 | Meeting with Tonya Moore | 10:00 AM – 10:45 AM

Tonya Moore (TM), Vicki Moll (VM), Tara Hallam (TH), notetaker

TM So I asked for it because subsequent after we had our meeting, it was brought to my attention that Janelle was telling staff that she felt like I berated her, which I don't feel like I berated her. I just was simply asking her questions about moving the desk and if she had gotten information from the supervisors. That she wasn't to move her desk. It was simply a conversation. Even her, her and I even had a conversation after I talked to the supervisors that I thought went really well, where we talked about the lack, where she felt like there was a disconnect between the supervisors and the Leadership team with providing information to staff. And we even talked about how. Constance and I were going to start having meetings with the LA3 to make sure that they were getting, you know, that they have opportunity to meet with the Leadership team directly. So that there isn't that disconnect. So they would have the opportunity to to address issues with us directly.

VM I mean, are you hearing this from one person or are you hearing this from three people or six people?

TM One person

VM Who?

TM Casey heard it from Jason. One of our BA's.

VM And then so Jason was talking to Casey and Casey brought it to you?

TM Yes.

VM So have you interacted with Janelle since you've been back?

TM Yeah, I had a meeting with her this morning.

VM How did that go?

TM It went fine. It was with me, her and Melissa regarding the training of the new LA3 going into Dockets.

VM And what is it that you want us to do about this information?

TM I just want guidance on how I should handle it because this department is very toxic. There's a group of staff who have been here for a long time and some of them I've known because I worked in Superior Court years ago, for 15 years. And then I went to Thurston, and I've come back. And they have a tendency to try and push people out, and they have a tendency to be retaliatory and to be bullies. And I just.

VM Who?

TM It's, well, Becky's gone. But it was Becky, Melissa Bucknam (Jaso), Melissa Engler, Tyler Wherry, and Janelle is also a part of that group.

VM So, you didn't work with Melissa Buckner (Jaso) when you were here before, but you worked with Becky and you worked with Tyler?

TM No, I didn't work with Tyler, but I worked with Melissa Engler.

VM OK.

VM So, it's Melissa and Becky that you worked with before, and so, you've labeled the work group as toxic. What does that look like?

TM Well, I'll start with Tyler and Melissa. They were given specific instructions to let staff know not to move desks because of the construction, and they didn't. It was them, and Whitney confirmed in the e-mail that she did. She responded back that, understood. They didn't. When I went in to talk to them about it, Melissa says, "*Oh, I didn't see that e-mail".* It's hard to believe that she didn't see an e-mail from, you know, four days prior. But if she didn't, she didn't. I struggle with whether she really, truly didn't see the e-mail or not to be honest, because she knew that she had already told Janelle, she could move desk from what Janelle had told me. And why she didn't say anything that morning when I asked her about it. I don't understand. Because Janelle said that Melissa had already told her she could move. But Melissa didn't say one word to me about that that morning.

VM You've labeled some people in this work or the work group as a whole in the Clerk's office as toxic. Is that right? What does that look like?

TM I guess this is how I look at it. I've been here for almost a year. And I've tried to connect with them. I've like tried to come in and say good morning. Half the time they don't say good morning back, Melissa Buckman (Jaso) has told another supervisor that the Leadership team doesn't like her, and I've never once said anything about not liking her. I don't even know her at all. I've had maybe one or two – very few – conversations with her. I mean, we've had conversations about football teams because I'm a Steelers fan, and she asked me how I was a Steelers fan, and we talked about that 'cause I'm a military brat. But other than that, we've never really had any conversations. I've spoken to her, and she doesn't speak back. I mean, so I don't even know why she would even say that I don't like her.

VM Who does she report to?

TM Well, she used to report to Tyler. I'm sorry. She just moved into. Now, she reports to Melissa. She just switched positions.

VM So, with the toxic environment you feel like you are being shunned? I don't want to use a word you're not comfortable with, but…

TM No, no, I'm not shunned. I just feel targeted, and I feel targeted. Yep, because Tyler applied for this position and didn't get it. And I didn't know that until months after I got here.

VM So, he's targeted you in what ways?

TM Not Tyler specifically. I don't think Tyler's targeted me. I just feel like maybe the rest of them have. I just feel like they're upset that he didn't get the position. They're taking it out on me.

VM Who?

TM Like Melissa. Like it went back… Yeah, both. When Becky was here. You know, she wouldn't speak to me either. Janelle and I were fine up until the desk incident. I didn't really have any issues with her until then.

VM But you labeled her as one of the people that's bullying and retaliating?

TM Yeah, she's a part of that group.

VM Do you feel like they don't want you here? They want you to leave or what are you saying?

TM I don't know if they want me to leave, but I know they're not happy I'm here. They wouldn't be sad if I left, and I also know they're not happy with, I'm assuming, they're probably not happy with some of the decisions that have been made about hiring and the last group of hires that we made.

VM So, when you say they're not happy, who are we talking about?

TM Well, all I can say is Janelle, and the reason why I say that is because when we had that when her, and I had that conversation last week, she kept hinting around when we were talking about. She was talking about how she was stressed. She was just overwhelmed and stressed out with all the work with Becky leaving, and I made the comment I said, "*Well, that's the reason why we made the decision to keep a second LA3 in Docketings*." Because we were trying to decide when we're hiring three new LA3s, we hadn't made a decision where they were going to go. And so, we made a decision to keep a second LA3 in Dockets, and so, I said, "W*ell, that's why we made a decision to keep a second LA3 in Dockets because we recognize there's a lot of work in there".* And she said, *"Well, yeah, but from who you probably hired, that's just gonna be more work on me*."

VM From "*who you probably hired*" or "*whom you hired*?"

TM She said "probably" because we hadn't announced who we hired, but on the Friday before, we had let everybody know. We already had let people know. We already let the regrets know, and we let people know who got the offers, but we hadn't let the office know publicly. We hadn't sent the e-mail out yet. So, obviously people in the office had already talked about, "*Oh, I didn't get it."* I mean, she just kept throwing out little comments about, you know, about the new LA3. Janelle did.

VM Tell me more about that conversation then that that whole conversation.

TM I'm just frustrated. I've worked in public service since 1996. I've never dealt with this kind of stuff before in my life. I left a job I really loved to come and work here and to deal with this kind of stuff. [crying]

VM Take the time you need.

TM So, the conversation was that she felt like. That a lot of the things that the Leadership team doesn't listen to staff, and you know, I kind of explained, "*Well, you know, there's a chain of command and that staff really should go to their supervisors*." And then, the supervisors should provide the information to the Leadership team. That's why we have the department management meetings once a month, and then, that we actually have the Operations Meeting with the supervisors so that we can. So, those whatever issues or concerns that staff have that the supervisors can bring them to either one of those meetings and that actually the Operations Meeting was the suggestion of Tyler, Whitney, and Melissa because some issues they didn't want to bring before the whole management team. They kind of wanted it to be a more smaller, intimate setting with just me and Constance present, and so, we, you know, we were like, "*OK. That's fine that way. It's just the five of us and that way we can address issues."* But even with those meetings once a month they still they don't bring issues up, and so if they're not bringing those issues to us, we can't address them if we don't know about them, but also, that my door's always open and Constance's door is always open and that if they don't feel like their issues aren't being heard by their supervisors, they're more than welcome to always come directly to us. You know, once they've gone to their supervisor first. And, you know, she was just like, "*Well, I just think the Leadership team should come to us*." And I'm like, *"Well, sometimes we do, depending on depending on what it is."*

VM So, this conversation that you're relaying, is this the conversation where you first met with her in the morning, or is this a subsequent conversation?

TM This is a subsequent conversation that I thought went really well, you know, and she talked about how, you know, that she talked about, even how the office atmosphere has changed. I don't know if she used toxic, but that it's the office isn't as enjoyable or as nice, something along that line, as it used to be and that she works really hard for under Morale Committee to come and try and make things more enjoyable and bring the office together. And I'm like, *"Yeah, you do a really good job with that and I appreciate it. All the work that you put into the Morale Committee to try and bring the office together."* And then, we got back to the desk and, you know, and I explained to her, I said, *"You know, with the remodel, we're just we're asking for no one to move desks because we have to move records and DV that whole half of the office to this half of the office, and until we get their construction schedule and see where we have to move people. We're asking nobody to move because we don't want people to have to move multiple times. And so we're trying to minimize movement, but once we get that and we have a meeting the following Monday, then we'll be able to determine when people can move and possibly move people to a permanent spot so that we're not moving people multiple times.* I said, you know. *Part of it is Jason, our BA. We were gonna move him to Becky's spot because he needs to be somewhere with a bigger space because he has to have multiple monitors and be able to have multiple machines because they wanted to move him across the street.* Well, that means he's gonna be running back and forth across the street multiple times a day trying to assist people when their machines aren't working. And it just made more sense for him to take Becky's spot because it's the biggest cubicle that we had available.

VM So there's a couple of things. We don't really know what it was that Janelle said to Jason. Because we only have what Jason said to Casey. I will tell you from you know, I've talked to having other conversations, there's a lot of people talking about the event in the office. So are you aware of that?

TM No.

VM You are in a Leadership role, you know you have the authority to ask an employee what's going on. You know, if this is a represented employee and discipline could be an outcome, then there's certain procedural things that have to be honored like an opportunity for a union representative to be present and things like that, but it's entirely in your purview to seek somebody out and to ask them clarifying questions about a thing or about things.

TM Right, and it wasn't; it wasn't a discipline thing. It was just simply asking why she was moving to that desk.

VM No, I meant the subsequent conversation that Jason related to Casey and Casey related to you – is it would have been OK for you to ask Jason, "*what did you hear"* directly, because you know this is an important message, and I want to make sure I got your words and not Casey's, and then, it's also OK if he comes back and says, yeah, you know, "*Janelle told me this*," and it's OK to ask Janelle, "*I've heard that you feel like our interactions for one or both of those conversation, or some combination thereof, didn't go well. I specifically heard the word that you felt I berated you, and if that's accurate, well you know, I wish you'd come to me."* I don't want to put words in your mouth but whatever words you're comfortable relaying to an employee and then getting clarification – all of that is OK.

TM OK.

VM Are you familiar with EAP? The Employee Assistance Program.

TM RC2 [redacted]

VM RC2 [redacted] So, you stated earlier that you're looking for guidance, but then, you've also brought up bigger issues that aren't condensed to like a person or an event. You've talked about the workgroup or the workplace being toxic. You've talked about workplace bullying. I'm not sure I got a good idea of what that looks like to you at this moment?

TM Right, it's just because it's not like I can pinpoint one incident – it's like when you walk in, and people just give you dirty looks or they just, you know, they don't speak to you when you speak to them, and or you're in a meeting and they're rolling their eyes whenever you're speaking to the group. And it's just little things like that. And it's like, OK, you know, and I just, I just let it roll off my back because I'm just like you just get to the point. You just concentrate on the ones who are happy to be there that interact with you that. That are positive. You just concentrate on that and you just kind of just let the rest of it just roll off your back and just…

VM Does Constance know that you feel that the workgroup is toxic?

TM Yeah.

VM Has she been able to provide you any guidance?

TM Yeah, we've, we've talked about it, yeah.

VM Is anything changing?

TM No.

VM Does Constance also know that you feel bullied by them? These employees that you've identified?

TM No, I haven't told her that.

VM So, in that same kind of conversation that you mentioned bullying, you also talked about pushing people out. And you feel like you're being retaliated against. Who? Who has this group pushed out?

TM Well, it's before I got here. I've heard that they've pushed other people out but that's just rumors.

VM Who?

TM Somebody named Kayley [Carrillo] that used to work here.

VM And when you talk about retaliation, you're talking about the rolling of the eyes and people not speaking to you? So, who's rolled their eyes at you in a meeting?

TM Melissa Bucknum (Jaso).

VM Is that the same meeting that she rolled her eyes at other people? Or different meeting – different times?

TM Yesterday ,at the staff meeting. We were talking about FMLA stuff that…

VM And she rolled her eyes at an FMLA conversation?

TM Yeah. It was just a simple reminder that at five days, the supervisors will have to start FMLA, but that's just her. That's just her personality. It doesn't matter what you're talking about. If Constance is talking, she'll roll her eyes. If I'm talking, she'll roll her eyes. You know, if it, that's just her personality. Like I said, I've just gotten used to it and I just let it roll off my back.

VM Do you think she knows she rolls her eyes?

TM Yes

VM Do you know if Constance has talked to her about that behavior?

TM I don't know.

VM Do you know it's OK for you to ask Melissa to come into your office and say, "*Yesterday, when we were in the meeting talking about FMLA, I noticed that you rolled your eyes. Can you tell me more about that…?"* or *"it made me feel…"* and then fill in the blank?

TM So, honestly, because this is the first time I've ever worked with a Union, and I really don't know what I can and can't do when it comes to the representative employee.

VM Well, there's no difference other than they have a collective bargaining agreement that outlines or determines how we co-manage the employee around working conditions, but when it comes time to behavior, there's nothing in the CBA that is going to cover them for behavior that doesn't meet your standards. If you feel at any time an employee's being disrespectful or inappropriate, then, you can ask them about that. The only difference is with a represented employee, you'd need to tell them they have the right to Union representation for that meeting because the outcome could be discipline. If you want to take discipline off the table, you can say, *"You're not going to get a union representative because there's no discipline on the table. So, I just want to have a conversation with you.*"

TM OK. All right.

VM But there's no reason for you to lower anyone's bar…

TM OK.

VM …Everyone should meet the same professional, appropriate standards…

TM OK.

VM …There's, you know, business acumen that covers what your face says…

TM Alright.

VM …Whether or not you say, "I*'ve noticed you don't say anything to me when I say good morning…*". I do want to caution you about jumping to the conclusion that they heard you though, because lots of people have earbuds in, and they don't hear you, or they're hard of hearing, and they don't hear you, or they're super concentrating on something else, or they thought you said good morning to someone else…

TM OK, OK.

VM …So, in those instances, we want to assume good intent because assuming bad intent doesn't do us any good unless we talk to the employee…

TM OK.

VM And we are here to help you in Human Resources if you want to practice or ask us, you know, ask us questions about how to start that meeting, what should be covered and those kinds of things. I want you to know, though, if you have a discipline meeting, a Weingarten meeting, an investigatory meeting, you don't go into that meeting alone with the employee and a Union

Rep. So, that's one of the few absolutes I have. You never go into a meeting with a Union Rep and an employee alone.

TM OK.

VM And lots of times employees will ask if they can bring their Union Rep with, you know, a meeting regarding a minor discussion you have or their performance evaluation or anything like that. The answer is no..

TM OK.

VM So, sometimes people bring up that it's a toxic workplace, or they've experienced retaliation. Do you believe this is based on anything personal about yourself? Your own personal makeup like your race, your gender, your religion, your ethnicity, creed with any of those?

TM I don't wanna say. I don't think so. I hope not. I really hope not. I honestly think it's more. I think it's more that a lot of people have been here for a long time, and they were hoping that they were going to be in these positions, and because they weren't placed in these positions and that other people are now in these positions, they're just not happy. That's all. I don't wanna say that it's based on race. I really don't. I really don't wanna say it was based on race.

VM The reason I bring it up is because there's different legal threshold, so some of the words that you've talked about maybe don't rise to the level of illegality unless you're telling me there's a nexus to a protected class. I'm not hearing you say that.

TM Right.

VM So, I want to go back to that you're in a leadership role.

TM Yes.

VM So sometimes I ask employees who aren't in a leadership role, you know, what do you want to do? What do you want to have happen to improve things? And how would you respond to that if I ask you that same question, you know, what do you want to do? What would you like to have happen to improve things because you're in control of that. So, I mean, I'll still ask you what 'cause I still think it's valid to hear the areas that you maybe need assistance with from somebody or guidance from us is, what do you want to have happen in the Clerk's office?

TM Honestly, I think our biggest issue is our supervisors. They're the barriers to things changing. Because I don't think they know how to separate from being friends. They went from staff, and now, they're supervisors, and I don't think they know how to truly be supervisors of their friends, and so, they're still in friend mode, and they don't really supervise. And that's the hard part – making them accountable for their actions.

VM Do you do their performance evaluations or did you do them for 2024?

TM I'm. I'm getting ready to. That's the other thing, they don't, before I got here, they didn't do performance evaluations here, and so, that's the one thing Constance and I have been working on that this year for 2024. Everybody is doing performance evaluations for everybody.

VM Well, why now? Because Constance has been here for three years, so…

TM Well, once she got here, they started doing them, but before she got here, the prior Clerk didn't do performance evaluations. They did like the six month and a one year, but after like a couple years, they just didn't do them anymore. And like, I oversee the Board of Equalization and I have to do the two people out there, and they have no performance evaluations. And Kim, Kim Shannon. And Ginny, I forgot Ginny's last name [Lemagie]. But Ginny is new. I don't think Ginny's been only out there for two years.

VM So, nothing that appears in a performance evaluation should be a surprise to the employee. And so, are these conversations you've had with the three supervisors that they're not being accountable, that they're not managing their staff correctly?

TM Yeah, and well, and they don't keep… I just had a conversation with them because they don't keep supervisor files, and when I had a conversation with them, this is what their comments were. "*I haven't had to counsel anybody."* I'm like, *"You don't keep supervisor's files only when you counsel somebody. You keep supervisor files for everything. So, if someone does something really good or they've completed a really major project, you make notes of it. So, when it's time to do their performance evaluation, you have all that documentation to include in their performance evaluation."* I put it on one of our agendas for one of our department management meetings. I pulled information from the intranet, the supervisor, file information. I sent it out to them and talked about why it's important to keep supervisor files because they weren't keeping them. That's one of the things that I've talked about and that's one of the things I'm going to make sure to put in their performance evaluations is that they are to maintain supervisor files for each of their staff.

VM What? About not managing their former peers correctly, now that they're supervisors?

TM That's what I'm struggling with. They all do their job really well, but when it comes to managing their staff…, and I would give you a prime example. So, Fernanda is one of our new Domestic Relations Facilitator. She started in July. Her six-month evaluation was going to be up in January. Tyler comes to me a week before it was up and was saying, "*Well, I think I need to extend Fernanda's six-month evaluation period."* And I'm like, "*OK, why?"* He goes, *"Well because you know. She can never get here on time."* And I'm like, "*OK. Well, you know, have you documented this throughout her probationary period?"* Well, no, not really. He was only like *the last couple weeks* and and he goes and Char and Jessica, the other two Facilitators have started complaining that she isn't doing her work in the queues. *Well, have you met with her about this? Have you been documenting this through her probationary period?* And he's like, *no*, I'm like, *well, I don't think you can extend her probation*. I said, *if you haven't been documenting, it's through her probationary period and you're just now bringing this up at the at the 11th hour. We can't extend her probation for that reason. You should have been documenting this throughout. If this has been an issue throughout her probationary period,* I said*, you're going to need to pass her.* And I said, *then if it's truly an issue then you need to make sure that you're documenting this moving forward and and needs to be reflected on her on her next on her next performance evaluation. This is how they manage staff.* You know

Brenda, who we promoted to the LA3 in Dockets, the one that the the one Janelle didn't want. When we met with the supervisors and we talked about who we were gonna, who we were gonna promote, then I hear, *oh, well, you know. She doesn't know everything. She, you know, really struggled as an LA2.* That's not reflective in her performance evaluation. Well, as a matter of fact, the only performance evaluation she has is from her six-month probation evaluation. She's never had another one done, and she's had her Bronze training. She's halfway through her Silver and she has all these other training. She's the backup to Probate and Guardianship, and she's a backup to Domestic Relations Facilitator. But you're saying that she that she shouldn't be the LA3 because she you….

VM Were the supervisors left out of the this hiring process on purpose?

TM Yep. Because we had. We had heard that they had already told people that they were gonna be the next LA3.

VM They told people that those people would get a promotion? But we don't know that to be true, because we didn't ever talk to them?

TM Alright.

VM So it's an odd reaction to words we don't know if they're true or not.

TM Well, considering the reaction that they had, it was probably pretty much true.

VM But we don't know?

TM Yeah. So.

VM And we took action on a process that normally they'd be included, based on supposition and hearsay?

TM So we had two people outside of our office sitting on the panel.

VM And was this wasn't discussed with the supervisors that we've heard rumors that you you're 'talking crap' - my word no one else is about these individuals or have made promises to other people? That's highly inappropriate to tell somebody they're going to get a job, they're going to get a promotion and that really should be investigated and it should be. Yeah, that's not right. But then we didn't do that, and then we made a change in our process based on again things we don't know to be true? That's also concerning.

TM Mmmm.

VM So the some of the things that you brought up, like the supervisors not maintaining files, not doing performance evaluations, these are things we hear across the County. So you're not alone. I don't know if that's comforting or not. I still get the impression, and please tell me if I'm not correct, is that there's a bunch of little stuff and some bigger stuff that's all accumulated. And because we haven't had any crucial conversations with these people, every time we have a conversation now with them, those other things are still there in the room with us. And we're

never going to get to any kind of a relationship where we can communicate respectfully and meaningfully with all that other crap coming into the room with us for all of our conversations.

TM Right, I agree. For me it's hard because I don't know, Constance is the Clerk and I'm the Chief. I don't want to step on her toes. I don't know where I stand. As far as when it comes to the supervisors and having those frank conversations with them.

VM Well, they're your employees. Let's start there. And if you think a conversation or an action needs to be taken, you can talk to Constance about that. But. Doing nothing and hoping or crossing our fingers and I have this conversation with many managers, Tonya, not just singling out here, it's not a good strategy.

TM Right.

VM So I want to talk a little bit more about the March 3rd moving conversation because it was it's been reported that that Constance was pretty upset in the in the relaying of that whatever happened. How would you describe Constance on that day?

TM Yeah, she was really upset. Because, you know Janelle say that she thought that we hated her and this was the second time that she's heard that a staff member stated that the Leadership team hated them.

VM Do you see where it could have been beneficial for Constance to go to Janelle directly instead of going to other people and saying that, *your employee said this and that hurts me,* is she could have gone to the employee directly and said, *hey, I heard this thing.*

TM She talked to Janelle.

VM I mean in the moment, instead of going to the supervisors because what's been relayed to us is that that there was a lot of emotions in that meeting, and I'm still not sure why.

TM I think there's a lot of emotions and a lot of frustration. Because there's continuous. I think it was a lot of frustrations because had the supervisors done what was asked of them, it would have all been avoided. And it kind of felt like it was done purposely that they purposely did not tell Janelle, not to move because they knew this is what was gonna happen.

VM Again, we're not assuming good intent in that scenario and it's not serving any anybody.

TM Well, exactly. It's not. But that's the history in this department.

VM I mean, I wasn't there. I know only a few bits and pieces, but I can also see a world where I come across an employee's moving and I and I don't know why. And I'm I ask *why* and the employee says that, and I'm like, o*h, that's unfortunate that this message wasn't relayed to you. So at this point in time I'm gonna I'll go talk to your supervisor and see what happened but you can't make the move.*

TM But I guess it's hard to believe that Constance, well, we talked to them about it in a meeting. We sent the e-mail out and there's actually 2 emails because Whitney responded back to that e-mail saying understood. And neither Tyler nor Melissa saw those emails.

VM *We haven't talked to them and we had this whole course of action where emotions were high and you said this*, this is the history of this group and now we're just perpetuating history.

TM No, no, no. I asked Melissa: *Did you about the e-mail* and she goes and she goes, oh, I she goes, *oh, I don't remember that e-mail.*

VM Yeah. And I guess the conversation with three other people in the room and then Constance later, I don't know exactly what happened, but I probably would have had that conversation with Melissa alone. One-on-one and said, you know, *hey, help me understand the breakdown here. If you didn't see it or if you did see it 'cause I know you get a lot of emails.* Let's assume good intent.

TM Mm hmm.

VM Tell me you know what you thought the e-mail said. Tell me.

TM OK.

VM And then directly to Melissa. And then then it could have been worked out. But I think a lot of people were 'confused,' a lot of people -my words. No one else's - about what was going on in the moment.

TM OK.

VM But again, I I feel for you, 'cause. I think you've got a bunch of stuff you're taking with you and a bunch of other people are taking their stuff in with all of these conversations, and it's hard to move forward when we don't come to the moment. And I don't know how I can help you. You know, you asked at the beginning of this for guidance and I'm like, I don't know if I have any help for Tonya other than, you're in a leadership role. So, you are capable of change, and anybody who tells you differently is is not telling you the truth.

TM OK.

VM And if you have problems with supervisors, then you bring them in one-on-one. You tell them. It's your obligation to tell them whether not meeting your expectations.

TM OK, OK.

VM And it's your obligation to help them be successful. So, once you notify them of their deficiencies, it's your obligation to give them the time and the resources to be successful.

TM OK, OK. That's good to know that I can bring them in.

VM On the performance appraisals, were they do at the end of December? I don't really know how the performance appraisals work here.

TM We gave them a deadline. So based so we gave them to the end of March for people who were hired between January. Their hire dates were between January and June, and then for those from July to December, their performance evaluations are due in June and then moving forward. They all will be due the month they were hired.

VM Sounds like you have a plan.

TM Yeah, yeah.

VM It sounds like it's good one, so OK. So I wanna go back and ask one more question about Constance. Is, you know, emotions were running high. Why do you think that she was so emotional in this instance?

TM Frustration. She's endured a lot since she's been here, so I think it's just frustration.

VM If she brought all that into that meeting with the three supervisors, I'm sure that any message could have been given or received in the tone that it should have been. What do you want to do next with us? You asked for guidance and I'm not sure I've given you any so?

TM My meeting with Janelle went fine today. I just kind of want to see. I mean, at this point, to me, it's too late to to address the issue. It's a week later. I don't want to hash something in the past.

VM Technically, it's not a week later, 'cause you were gone for like, four or five those days. And I'm not telling you that you need to address it later, but I am telling you in every instance where you think you're being slighted, assume good intent and then ask them about it. So if you walk by somebody and say good morning, you don't hear anything, you can step back and wait and see if they make eye contact with you. You're like, *oh, I'm sorry, I didn't hear you say anything. Good morning*. You can do that if somebody rolls your eyes at you, call them in the office. And say *what's all that about? Did you know what your face just said?* These are all OK questions to ask somebody.

TM Yeah, I'm gonna start doing that as far as as far as Janelle, I just. I just I I don't want to make things worse, you know. I don't wanna make things worse, but I also don't wanna ignore things. So I think I'll just meet with her to make sure that we're that we're OK. Just have a conversation with her to make sure that we're on the same page. She did ask me again today if she could move desk. I told her that I have a meeting this afternoon with the construction team and that I would talk. I would follow up with her after that and so that will probably be a good time to have that conversation with her.

VM *You know, you've come and asked about the desk. I want to talk about that. But I also want to talk about, you know, what happened on Monday the 3rd.*

TM Yeah. I think I just need to have a conversation with the supervisors about moving forward. What my expectations of them are because I'd never had that conversation with them when I started, and now that I've been here almost a year, I think I just. I don't think they. Yeah.

VM *I started a year ago. I didn't have that conversation. Now I know more things and I want to talk about that.* That's a really good segue.

TM I'm gonna set a meeting with each one of them. Is that this is what my expectations are.

VM Give us a call if you want any assistance in looking at your talking points or if you wanna practice it sounds silly, but it is helpful. You can practice in front of a mirror. You can practice in front of Tara or in front of me and we will be the whatever you're trying to avoid. We will personify, that if it's a snotty person, oh, I can roll my eyes, I can roll my eyes at you! So we can do that practice if it would be helpful.

Closing comments. End at 12:57

March 12, 2025 | Meeting with Constance White | 1:00 PM – 1:45 PM

Constance White (CW), Vicki Moll (VM), Tara Hallam (TH), notetaker

Meeting overview & admonishment

VM What is your title?

CW Clerk of the Superior Court.

VM Someone in your position isn't normally the subject of discipline, so I'll just say that as well. Do you have any questions before we begin?

CW Not at moment.

VM So I want to go back to March 3rd and the event that happened in the morning. And I believe that it would start around 7:30 or so. Is that what time you normally get to work sometime or what time do you OK. So that's like a normal start time and so what transpired to that that your normal day will somehow 'disrupt' – my word. no one else's - and something went awry?

CW Walking in, walk past the wooden doors with the big window in them over on the Judgment side. I was walking by and I noticed that Janelle was moving her desk. As you can see, it's a straight line and I'm like Tonya and I had walk were walking in together and I said, *is Janelle moving?* And she's like, *oh, I think so.* I said, *but we talked to the supervisors about that*. So she said, *OK,* she said. *Well, I'll just go in here and find out.* And then I just came on to my office.

VM And then how long was it before Tonya came back to you about that?

CW I don't know. Maybe 5-10 minutes. Maybe it wasn't long. And so she communicated to me that she had asked her why was she moving? And that Melissa had told her that she could move after Becky left and she said, well, we had sent an e-mail out to the supervisors, you know, asking them to let everyone know not to, not to move because of the upcoming renovations and Constructions And everything else. And so and then she said that. That's when Janelle said. I don't know why you guys hate me. And so then I was kind of the end of it. And I was like, well, let's go. Well, let's go see what's going on. And that's when we went over to the other side.

VM So when Tonya confirmed for you that Janelle was indeed moving and then conveyed to you the phrase that she stated, what was more concerning to you? Or were they the same concern for you that she was moving or that she said those things?

CW I think both of them were concerning, but different. One, it was concerning that she was still moving in spite of being instructed not to. And the fact that she would say something like that, that in my opinion had no foundation, you know, I I've never said anything like that to anybody, was that that was concerning.

VM I don't the layout of the office. Did you pass Janelle on the way to Melissa's office? Or Becky's desk, I should say.

CW I talked with her and then I went to Melissa's office.

VM What was your conversation with Janelle?

CW Just what was going on? And she said that she was moving and I said, *well, we communicated to the supervisors.* I said, *well, let me go talk to the supervisors* and the three of them were already in an office. And so that's when we, that's when I went in there to talk with them. And so then, as soon as I walked in, Melissa laughed and said I already told Janelle that she needs to move back. And then that's when I started my. That's when I said, well, I said, *can you guys please tell me what's going on?* And I started crying. And because I said I *don't understand why people would say that I hate them, I said this is the second person that says that that I don't like them and I don't have anything against anyone in this office.* And I said and it's it's I said *I just don't understand why we can't move forward*. And then I walked out.

VM When you spoke to Janelle about moving, did you ask her about the statement she made?

CW Not right then I didn't. But I did go back and Janelle and I went into Tonya's office and I told her that I would have. I would have never thought that she would say something like that, because that's not me and I don't hate anybody. And because I thought that we had a good relationship and I was crying, and that's when she asked me if she could give me a hug and I said no. And I just said *I just need to gather myself* and I left and I went to my office.

VM OK, some of this you covered with us on Tuesday.

CW Yeah, before.

VM But this is different now because we've had some employees come forward. So, I appreciate your patience in this process. So you kind of posed a kind of hypothetical question 'I don't understand why this is going' on to the group the supervisors.

CW Right.

VM Did anyone say anything?

CW No, nobody said anything.

VM Did you ask him about the e-mail?

CW No, I didn't. I didn't ask them about the e-mail. Tonya informed me that she had asked him about the e-mail.

VM So what you've described is a trend or an event that you come in the office, Tonya's comes in the office. You were crying. You haven't said you were upset, so I don't want to put words in your mouth. What is the best word to describe your overall demeanor when you walked into Melissa's office?

CW Hurt…

CW had to step away to address Exhibits Clerk

VM So I had asked you what was a good word to describe your overall demeanor when you walked into Melissa's office and you said hurt? So if, and I'm assuming that you mean the words 'why do you guys hate me?' - is it the word that hurt you? So why did you take that to the supervisors?

CW Because, well, what I did was I asked them what what was going on. That was my first question, I said. *Can you guys please tell me what's going on?* Because from from Janelle's statement and her being told not to move, it's like, 'why do you guys hate me?' Well, that's that was hurtful to me and I took that because to me, in my mind had the information that I relayed to them been followed, we would not have been in that situation, knowing that I had already said that I sent an e-mail out to them. Had that information been relayed by the supervisors, that particular incident would have never happened.

VM Were you able to convey that statement to them?

CM No. I don't know what the conversation was between Tonya and them beforehand. So. And she had spoken to them before I did so.

VM I know that you and Janelle met later. And you had called us. So all of this is kind of happening in close proximity, although it's a day apart. So did other people come to you during the day and reference this event?

CW No.

VM Were you aware that there were other people in the office who overheard or witnessed this exchange?

CW I'm I'm pretty sure there were. There were people in the office, but when I went in to talk with the supervisors, I closed the door. So it's not like it was open to everybody, but people may have, I'm sure. I don't know who was in the office at the time. It was a start time. It was 7:30. Some people come in at 7:30. They may have seen part of the exchange between Janelle and I before we walked in before we went into Tonya's office.

VM And do you think in the in that moment that if someone witnessed that they would have concerns?

CW They might. Yes.

VM And what do you think they would be concerned with?

CW Just maybe what was going on.

VM Have you heard anyone talking about it since?

CW No, I haven't.

VM Have you and Tonya had a chance to talk about it, or do you think that it's whatever conversations you had with Tonya, it's resolved.

CW Regarding?

VM Not that there was a thing between you and Tonya. It's just that, do you have plans to talk to Tonya about this in the future? Like to resolve it? If there's a back story to this, you know you said you were hurt. Is there a plan or anything to work through that or to make it better?

CW From for me to work through the hurt?

VM Yes.

CW Yeah, on my own. Yeah, I'm. I'm you know. I've I've been working through hurt since I got here RC7 [redacted]

VM And that's really not what I mean. It was a clumsy worded phrase for sure. It's just that you and Tonya have experienced a thing. One directly with Janelle and a statement was made. There's reference to an e-mail, so there's reference to employees not following what was in the e-mail, and so how do you as the Clerk and then Tonya as the Deputy…

CW I understand what you're asking now. Well, I also reached out to Raul so that we could so I could talk with him on because he did some training with with us and I just said *maybe it's time for you to come back and us do some some initial training.* He said that he was going to work out some things and get back up in touch with me because I wanted to ensure that we communicate, if the communication needs to be different, it needs to be how do we… How are we going to do that? So I reached out to him so that he could provide me with some tools in order to do this. Do this better somehow. Or maybe do it different? So I think I think for me that is the way to to kind of approach this Tonya and I've talked about having regular meetings too, with the Legal Assistant 3's. Because that was one of the things that Janelle mentioned that there's a disconnect in the communication. So we are trying to come up with different options and ideas in order to to try and ensure that that doesn't continue to happen.

VM How many about how many LA3 do you have?

CW 8 or 9. Right. But So what we're thinking is that not all of the threes, not all the LA3, have LA2 underneath them. So that was one of the main things we wanted to really concentrate on is making sure that this information gets trickled down to the individuals that to the twos from the threes that have that information. So, to better empower them. These are conversations that Tonya and I have had based on my conversation that I had with Janelle.

VM So your LA3 are probably spread across the three supervisors or across the three supervisors and other people are all LA3 threes.

CW Yeah, all LA3 have a supervisor that they report to, but not all LA3 have LA2 under them.

VM So when you meet with the LA3, are you going to meet with the supervisors, or this is just you and Tonya or you and Tonya and the other two in the Leadership team meeting with the LA3? Or do you have that all figured out?

CW We haven't figured all of that out yet, but one of the things that we want to do is is have is bring the supervisors in and allow all of us to develop better communication with one another. That's that to me, is the overall goal and that's what I reached out to Raul for.

VM I mean, I don't know if you were present for what Raul conveyed. Do you know what he was going to train, what he's already provided to you - what kinds of training?

CW We did some training on change management. And I think he kind of tailored that to our office because he came in and talked to the supervisors and then he talked to the Leadership, talked to the supervisors separately, talked to the Leadership team separately. And then we had an off-site training session or the supervisors and the Leadership. We had an outside person come in to do some change management and they met with all of the staff that wanted to meet with them and they met with the supervisors and then they met with the Leadership team and provided some feedback on just different things that they observed and… So different things that we could do better or…

VM Did you get any feedback from either of the trainings from the supervisors or the Leadership team?

CW Yes, we did. We got feedback. We met with the supervisors, as you know, all of us in one of our departmental meetings asking them, you know, what they got from it. They said that they thought that the training was good. It was beneficial. They hope that that wasn't just the end, and this is why we reached back out to Raul to say, you know, we didn't want this to be a one and done. We wanted something that would be something that they could kind of look forward to in order to kind of regroup. Let's talk about things. Let's talk about where we are, where we've been since that last training and then kind of move forward. And this is then, like I said, that's why I reached out to Raul to say, h*ey, you know what? I think it's time that we kind of get back together. And put together some additional training*. So I'm not sure what he's working on.

VM So you mentioned that you were hurt. You mentioned that this has been a 'state of mind' - I'm kind of paraphrasing here, for a long time. What do you see as the background, the back story to March 3rd, what events have…

CW …I don't see a back story.

VM Well, you were hurt by Janelle's words. Was that her words alone? Is that what got you to the point of crying and asking…?

CW …So, no. That's like I said before, it's been a combination of everything that's gone on. Yeah. Just, I mean it's just it's a combination of of it. You know when you think you think you're moving forward and then something else happens and it just kind of deflates you and you feel very defeated.

VM Could you tell like the supervisor… You didn't said they said anything, but could you tell how they received the information that you were giving them?

CW What do you mean? Could I tell? I mean they sat there, they listened and nobody responded.

VM I want to ask some questions now outside the scope, or outside, really, the time frame of March 3rd, and that's February 19th. You had some kind of a meeting. I think it was a Management

team or managers or an Ops meeting. I'm not sure what you call them. And you and part of the meeting you had presented a binder. And I know that you had brought the a binder issue to HR last year sometime. So when did the new binder thing pop up? Let's call it the third binder.

CW I think yeah. The third binder it came up, I guess probably a few days before that meeting, a couple of days before that meeting is when it was is when. Is when I saw it.

VM And so not this binder, but the other two binders, the original ones. I know that at least one of them was brought to HR and one of them was taken to PAO for review, what happened to those two binders?

CW They're here.

VM And there was no direction from PAO or anybody to, like, shred them or burn them, or…?

CW Yes, there was a direction to shred them, but it is against the law to shred other people's mail, and those were original mail. There's original letters in there that belong to people that should have been sent to people.

VM In the first two binders?

CW Yes. And I did not feel comfortable doing that because I could be prosecuted for it.

VM Did you relay that to anyone in PAO/ Exec/ HR?

CW And and Dan Grimm was Dan Grimm told me. He says, *well, I don't want them.* Cause I tried to take them over to their office.

VM OK. Oh, I see. So I'm assuming, and I don't like to do that, but that the third binder - is it with the other two binders?

CW Now the third binder is here on the floor.

VM Oh, OK.

CW And I have talked. It's in my, actually. It's in my shred box because what's in there are just copies. They're copies of, they're copies of orders. They're not the original order.

VM OK. Are you still assessing them or analyzing? Oh, OK.

CW They're, they're in my shred box.

VM So it was relayed that you also that you talked about the binder and that you talked about a letter from a mother to a son or from a son to a a mother. And that you were going to try to get that to the person whichever way it was going. Is that something you've been able to do?

CW No, haven't even tried.

VM And the point of bringing up the binder at that meeting was what?

CW Of the third binder, of any binders, because it was because it was, it was inappropriate for the staff to be gathering information like that, there was no reason for it. It was. It was in a binder to ridicule the individuals that were in there. Which is not appropriate for under the oath that we take nor under the confidentiality agreement that every employee signs. And I conveyed to them that I did not want this to be a reflection of this office, because we do way better work than that. And I asked if there were any additional binders for them to please bring them to my office by 4:00, no questions asked. We just wanted them - just a second - I just wanted them to be gone.

VM With the supervisors aware? Of the Leadership team, were they aware of the binders from last summer?

CW The Leadership team was. When the other two binders were brought to my attention and we waited until see what the Executive wanted about wanted to do about it. I figured you know what, let's do a reset, which has been a common theme from recommendation from Human Resources. We're going to do a reset and we're just going to start over. And they're gone. You don't have to worry about them anymore. If anybody asked about them, they can come and talk to me, but no one ever did.

VM And I'm misspoke, I said. Leadership team, was the Leadership team aware of the binders last summer? I merely meant the Leadership team and the supervisors?

CW I *said* [emphasis] the Leadership team was.

VM OK. So not the supervisors from last summer, OK?

CW But when we talked about the three, the third binder. After the meeting, Melissa came to me and said that she was aware of the other ones. And she thought that the third one. She said she wasn't sure where the third one was. But she did know about them, and I asked her if there were any more, and she said not to her knowledge. And I said, *so we're done with this, right,* you know. And she said, *yeah*, she said I she said, *I think Mark had the binder, I'm not sure who had it*. And so and then I just told her I said, *well, if there's any more or if you can, I said I'm gonna send an e-mail out.* So I sent the e-mail out to the staff, you know, letting them know if there are… this is inappropriate. And if you have any, you can bring them to my office by the end of the day. And then that was gonna be it.

VM Who's Mark?

CW Mark Hindig.

VM So how did you find the third binder?

CW I went, I… every morning. I usually walk around, say *good morning* to everyone. I was saying good morning. And I walked back into the record section and Mark and Danielle Frazier were sitting, well, Daniel Frazier was sitting at a table. Mark was standing at a computer and she was the binder was in front of her and she was kind of fumbling with it, trying to hurry up and close it. And she was having a hard time. And I said, *are you OK?* And she's like, *it doesn't*

want to cooperate. So I walked over to her and just kinda I said, *well, let's slow down,* you know. And we was just kind of laughing and I just kind of closed it. But I noticed it was a pink sheet of paper, but I didn't pay much attention to it at the time. And so I closed the binder and we I stood there and talked to her for a couple more seconds and and then I came back to my office. And to get ready for my next meeting. And I was sitting here and I was just like, I hope that wasn't another binder. And and and I and I and I said this to myself just because of the way she reacted when I walked up, it was just odd. And so I asked Tonya if she would go back there with me. Because we was getting ready to have a meeting with her, our regular meeting. Our check in. And so we walked back there and I kinda was looking around on the table. I looked on the in the cabinet and I didn't see anything but Danielle Johnson was sitting back there at her desk and I asked about and I asked. I said. Well, I said, *Do you know where this was?* I said, *Danielle had a three-ring burgundy binder*. I said, *Do you know where that is?* And she goes, *oh, yeah, I think she put it in this drawer*. So I opened the drawer and I just kind of looked at it. Just just what I could see, right? You know right there and I didn't see anything. And so then I picked it and I noticed that there was some binders. Some Black 3 ring binders stuck in there. So when I just pull those out and this burgundy 3 ring binder was at the very bottom of the drawer with a lot with other stuff on top of it. So I pulled it out and I opened it up and it says it said what a name on the pink cover sheet which was similar to the other ones. To the other binders on they each had their own little cover sheets and it said what a name. And then as I went through it., i was copies of various court documents that, where people's names were highlighted.

VM Could you tell like what paper had recently been put in?

CW I, no, I don't know. Well, some things are file stamped. Most everything has got either a file stamp on it. I didn't look at that part of it as far as…

VM Are you curious or interested in what Danielle Frazier was putting into the binder?

CW I yeah. But didn’t ask about it.

VM Any reason why? Or what was your thought process on that?

CW Well, my thought process was first of all, *I can't believe that there's another binder*. And I just didn't know how to address it and I wanted to have an opportunity to talk with the supervisors first to gain some knowledge from them and I did have a conversation with Danielle. But I did not specifically ask her if, or what, she contributed to the binder. To me it was more of that, this is not acceptable. And this is not something that we need to be doing. It's not just it's it's not right, period. That was more of the concern, not necessarily what she what she put in it.

VM Are we sure that new information has been put in it?

CW I don't. I don't know. I have no idea. All I know is she was fumbling with the binder. And then I went back and I retrieved the binder and then that's when I sent out the e-mail. After I talked with Scott about it and that was his recommendation

VM And this is other people's perspective, that you were emotional in that meeting. Is that accurate?

CW I think if I think there was a point that I did get emotional when I spoke about a particular letter that I that was from a son to his mother and I said, I *know that I would probably be devastated if my son had written me a letter apologizing and I never received it because I have two sons.* And yes, that I would be devastated if I was a mother and someone withheld a letter that was written to me from my son had if he had been incarcerated and was and was writing, trying to make amends for whatever he had done and I never got it or whatever he had done and I never got it. And that is still very. That still sits with me today.

VM So why would that letter land in the Clerk of the Court Superior Court's office?

CW Because it came from an inmate. It was inmate mail, and that mail is typically routed through here because it is our… Sometimes they don't have an address and they send it to the Clerk's office because they have that address. And we process it, whether it's it needs to be forwarded to somewhere else, it needs to be scanned into the case. It just kind of depends on what the mail is. On how and what the next steps are in order to process

VM And does that letter have any retrievable or like identifiable information on it for you to do that now or?

CW I don't know offhand, it might.

VM And so the binder was shown at that meeting or was it just referred to?

CW No, it was. I had it with me.

VM And was it like you had it with you as as more like a prop, like *I found this*. Or did you have it like I want you to…?

CW Yes, I wanted them to see what I had because I wanted them to see what was in it. If they weren't aware of what was in it, so that I could let them know that this is not reflective of this office.

VM And it was anything said by them in that meeting about the binder.

CW No, they didn't say anything.

VM Any of the Leadership team say anything?

CW Not that I can recall. I don't know.

VM Did any of the supervisors look at the binder?

CW Yes, they did. Yes, they did.

VM Is it out, like all of them? Or is it passed around the room or?

CW It was well, I think it was. It was passed around the room and but I know that. I think Melissa and Tyler. And I'm not sure if Whitney looked at it. And then I think, Andrew. That's it.

VM There was a recent recruitment and I've heard varying stories about the recent recruitment with for three LA3. They weren't involved in the process this time and I don't know if they've been involved in all the other processes. So that's a good point for me to stop - why were they not included in this recruitment process?

CW It was a decision that I made based on conversations that I've had with the supervisors. And asking them to provide me, you know, feedback on, you know what in their what areas in their space did they feel that there were gaps that they need another person. Also look at the scope of the office, the overall office and where gaps were to provide input because we had gaps that needed to be filled. Excuse me. And I wanted their input. And based on some of their their input, I had concerns that the gaps would not be filled. It was more of who they just said, *well, I think this person needs it*, not necessarily based on the needs of the office that was the concern.

VM There was a rumor swirling, and I'll put it in the category rightly that it belongs, a rumor, that the supervisors may have promised these jobs to somebody or relayed to someone in the Clerk's office that they were going to get these jobs. Do you know anything about that?

CW The only thing that I know is that, well, what I heard was someone was told that they were the next in line, so they should be getting one of those positions. Reyna.

VM So do you know who's who may have told her that?

CW I don't know. Who does Reyna report to now? Do you know?

CW She reports to Melissa.

VM So did that concern you? Like, I need to get to the bottom of that?

CW It did concern me and this is why I was asking the supervisors for their input, because their input was valuable to me. And we talked about each individual that had applied for positions. So 'cause like I said, I value their input.

VM Do you have any intention of looking into that further? That Reyna was told that she should be in line for this? Because that's you know from an HR perspective, and I'm sure from your perspective too, it's that's very concerning that that that would be relayed. And you know, potentially a black mark on someone's record. Meaning it could lead to discipline.

CW Yes that is concerning.

VM How did you hear that?

CW I'm not sure and I don't want to misspeak.

VM This there is a lot going on but in order to look into this, what's your plan? Is it to meet with Reyna or what?

CW As to well, one yes to me was Reyna to see if she was instructed. But you know, meet with the supervisors again to see if there was any communication to individuals. But you know this is it's one of those things. That's it. But you know, I mean I think that it definitely warrants you know questions.

VM When did the recruitment process start? Like the interviewing process?

CW They were, I think the 27th of February.

VM And you heard this about Reyna in February or? What do you have a time frame when you heard that?

CW I really don't. I'm sorry. I don't know.

VM TH questions?

TH No.

VM CW questions?

CW At the at the moment it's just, I don't know at the moment. Well, I can say that during the during my meeting with the supervisors and asking them to provide me with some input on the positions that we had conversations with all of them and they provided me with information on where they think that each individual applicant would flourish and so we took that information into consideration.

VW And did they have positive things to say about your applicants?

CW Yes.

VM Did they have negative things to say about the applicants?

CW Nope. No, they they let me. They let us know where they think. Like I said, where each person would flourish. Tell me, kind of, where they think individuals would go. What they needed for their areas, what they, what we needed for the office as a whole. So which is what I asked for them to do in an email that I sent to them on the on February 16th.

VM Do you trust Melissa Engler? Her ability to be a good leader for Pierce County?

CW I think, yeah, I think she could be a good leader for this, for Pierce County. I think that all of them could. I think they all have growth. That if they need, you know, just a growth, just just growth as a as a supervisor. You know, I think we all do. But I think that there are there are things that we're getting into that may be kind of uncomfortable for them to do that they've not been really required to do in the past. So I think you know that that I think that just makes people uncomfortable in general. Yeah. And that's kind of what we've been, you know, trying to talk about and trying to get across that, you know, we are changing and. There's, there's a lot of different things happening and not just with with staff. You know we we constantly are talking about the construction and renovation. And the changes are that are that are coming from that. The like I said, performance evaluations being done timely. The, you know, merit

reviews being done timely. It's all of these different things that are that that they are I think really kind of being exposed to that may be different than what they've been exposed to before. But to me it is really, you know, to empower them to, to be the best that they can be.

VM For the record was going to ask about each supervisor, but you said that you trust them all, and thought that they could in in relation to being a good leader for Pierce County. Do you think all of them are in the correct position?

CW What you mean like just as a supervisor?

VM Yeah. Melissa, is she in the right position?

CW I think she is. I mean, I think that they're, like I said, I think there could be some things where she could grow. There's, there's a lot of times where I see you're doing things that probably someone else could be doing that could free up her time to take care of more of the supervisor responsibilities 'cause, I know that it kind of takes her away from from some of those things, and these are things that we've talked about and this was one of the things that we talked about by doing some reorganization with the new LA3 that they could take on some of those different responsibilities that she felt compelled to do. That that maybe an LA3 could do. Or an LA2 because it's like you're you're using a supervisor to do a task to do tasks that maybe someone else could be doing. And it's just sometimes not a good use of some of those of her as a resource doing some of those things.

VM You see her working out where she could have delegated it. Do you see Tyler and Whitney doing work like that as well?

CW Yeah. And some of it is just based on days where people are out of the office, and I understand that part of it. But you know it's it's where we're just really trying to, a lot of it is still really trying to figure out what other people can do and what other individuals and and the staff have the ability to be able to do and some of it is kind of letting go of some of the tasks that they've that they're that they're comfortable doing, in order to train someone else to do that.

VM Do you feel supported by each of the three supervisors?

CW At times, yes. At times, no.

VM So what are the things you don't feel supported by them for?

CW I think some of it is relaying information to the rest of the staff, you know, when, when, when, when changes are occurring or if we need to pivot to do something different. And this was one of the things that we talked about in the training with Raul. Information not really being relayed, and then to hear Janelle say the exact same thing is, you know, is is concerning.

VM Do you get more pushback from one of them over the others, or do you get pushback?

CW No, I don't think I don't. And that and that's the… I mean, because when we're in meetings, everybody seems to be on the same page and we're OK everything's, you know. But then when

things kind of don't go as planned or as they were originally laid out, it seems to be a surprise, like, *oh, I didn't know or*. And I'm like, *but we talked about it* so.

Closing comments / EAP / Retaliation Admonishment End.

VM Sometimes we say or do things in a moment, and we time it, Well, this happens to me all the time, and we get a chance to reflect on it. And then I'm like, hmm, I could have or should have or should not have.

CW Oh yeah.

VM Did you have any of those moments with this exchange?

CW I've had that that moment several times.

VM About this exchange?

CW Yes.

VM OK.

CW When there's, there's just a lot going on, and I mean, not just, you know, work wise, but also, my father's health wise, my own health is just a lot going on. And and it was, you know, and like I said, I, you know, I've said this before. You know, I always wish I could kind of not allow my emotion, but I am an emotional person. Period. In any and everything. And and I work so hard to make things good here. And and it's hard to hear when someone says things and and they hurt and I'm human and I'm allowed to feel. And I think sometimes that people don't don't think that. And because I am very careful in the words that I use to people, because I know that that I don't know everything that people are going through and and it is hurtful and I try not to do that and I would be the first one to apologize to someone if I ever hurt them. And and I think that's why I really appreciated the time that Janelle and I spoke because she apologized for what she said. And and I and I accepted her apology. It's just been very it's it's just been a lot. It's just been a lot. That's all I can say.

End at 1:57 PM

March 13, 2025 | Follow-up Meeting with Constance White | 2:00 PM – 2:45 PM

Constance White (CW), Vicki Moll (VM), Tara Hallam (TH), notetaker

VM Tara for some background, we spoke yesterday, I think it was at 1:00, maybe 1:00 to 2:00 and then shortly thereafter, an hour or so, Constance reached out and said could we talk because she wasn't fully sure or aware of what the exact maybe allegations were against her. And so I said we could talk and. So the things that we received following March 3rd were some comments about your behavior on March 3rd. Employees had indicated in words that you were, I think, loud yelling and emotional. And some of the employees were able to go into a history where they felt that this was behavior that's exhibited from time to time.

CW Examples?

VM They brought up the February 19th meeting, which is the binder meeting. Some of the employees, when asked for that information, were unable to provide an exact context. Some of the employees when we asked the question "is this behavior that has been observed before" and when the answer was "yes," we asked for examples, like, when was that, and some of them said they did not could not identify a specific date.

CW Some of them could not. So then that mean that mean that some of them could?

VM Some of them that were asked identified February 19th. A number of the employees that we talked to are concerned. Because, you know, they bring up things that you've talked about, high turnover, and employee conflicts. They're afraid of retaliation.

CW When you say that they said that they're afraid of retaliation, did you… has there been any, I guess, concern for that? Or something that I've demonstrated that would caught that would give them cause for concern?

VM I'd have to go back and check my notes cause the investigation is not complete.

CW Right. I, I mean, I just I guess I'm you know I'm just trying to trying to figure it you know trying to figure things out too as as we're going through this process and really trying to understand 1 the allegations because I wasn't told what the allegations were on the onset of this, so I'm just trying to figure out what it is and what I've done, so. To have a complaint to be brought. So that's, I'm just like I said, I'm just trying to. I'm trying to decipher. And figure out.

VM It started with the March 3 incident, and so from that, people brought in other things, and I can tell you when I asked questions about prior behavior, and what are you afraid of? Why do you say you're afraid of being? One of the employees indicated they used the word targeting. They've said they've seen. Constant's target employees.

CW In what way?

VM I'd have to go back to my notes and see, but so you know, you asked it to, to know what were the kind of the charges alleged against you started with March 3. It started with your behavior as they described it. You know you described it somewhat differently. I asked a lot of them and I asked you a lot of questions about the 19th as well because I was confused about the binders because I knew the binders were an issue last summer.

CW Right, but this was the third binder. This was a new binder, so it wasn't. It wasn't about the previous binders. It was about a new binder that was discovered.

VM And you filled in all the holes I had for *why is the binder an issue now*? And I guess you know at the end I asked you, did you ever have anything like *I should have* or *I could have* or *I would have* said or done things differently and, going into the supervisors and asking them questions about the statements that somebody else made? It was confusing to a lot of people.

CW But you know, like I said too, hindsight's 2020, you can always think about things that you could have done should have done may have done that, could have been different or could have been a better approach, you know. And of course, yeah you recognize those things, you know, after the fact, if once you have an opportunity to not be as emotional, but you know it is you know, so yeah, I agree with that.

VM That's how we grow.

CW But that's just kind of what I was. I was just curious as far as what were the allegations and so, but you've answered my question.

VM Yeah. And I'm sorry I didn't give you more of a background, but it just was yesterday. I still had some questions like what was what was the why are the binders an issue now? Because I didn't.

ICW That's because it's a new binder so.

VM Nope, I get that. Well, if you have any other questions about this process reach out I this is Thursday. I think I told you we'd be done by Tuesday. And so that's my that's my goal.

End at 2:09 PM

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Investigation Report
March 25, 2025

Complainants:	Melissa Engler, Legal Processing Supervisor Tyler Wherry, Legal Processing Supervisor
Subject of Complaint:	Constance White, Clerk of the Superior Court
Human Resources Investigator:	Vicki Moll, Labor Relations Analyst (report author)

Complaints

On February 26, 2025, Constance White ("White") sent an email to five supervisors within the Clerk's Office: Melissa Engler ("Engler"), Tyler Wherry ("Wherry"), Whitney Long ("Long"), Ayana Watson, and Andrew Sawtell. The email was sent with "High Importance," and White copied three members of her leadership team on the email – Deputy Clerk Tonya Moore ("Moore"), Fiscal Services Manager Shaneeka Tulloch, and Justice Services Administrator Nicole Carbone ("Carbone"). The email read:

> *Good morning, Team,*
>
> *I would like to inform everyone that we will be attending a construction update meeting on March 7. As we prepare for this transition, it is crucial that we maintain a clear and organized process.*
>
> *Please advise your staff not to relocate from their current spaces until they receive specific instructions from a member of the Leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves.*
>
> *Your cooperation in communicating this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction.*
>
> *If you have any questions, please let me know.*
>
> *Constance*

On March 3, 2025, Janelle Oleson ("Oleson"), Legal Assistant 3 ("LA3"), came into the Clerk's Office around 7:00 a.m. She was cleaning up a workspace vacated by Becky Ahquin ("Ahquin"), LA3, following Ahquin's retirement from the Friday before, February 28, 2025. (Approximately one

year ago, Oleson had moved to sit next to Ahquin in order to take over Ahquin's responsibilities upon her retirement.) Oleson had the approval of her supervisor, Engler, to move into Ahquin's vacated workspace. Sometime prior to 7:30 a.m., Moore approached Oleson, and asked her, "What are you doing?" Oleson characterized Moore's question as accusatory – not inquisitive. Moore explained to Oleson that the supervisors had received an email the week before and were instructed not to have anyone move desks. Moore stated the supervisors were not doing their job by not communicating the message to employees. Oleson wrote in contemporaneous notes (see attachment) that Moore's demeanor was angry and combative. Oleson stated she felt "defeated," and said to Moore, "Why do you guys hate me?" Moore asked Oleson for clarification and told Oleson, "No one hates you! Why would you say that?"

After Moore talked with Oleson, she went into Engler's office. Wherry and Long were also present for a morning check in. Engler reported in her contemporaneous notes (see attachment) that Moore was aggressive. Wherry reported in his contemporaneous notes (see attachment) that Moore was angry and aggressive. When interviewed, Long reported Moore as "worked up" or "amped up." Moore proceeded to tell the three supervisors that White had communicated to them that no one was to move desks. When interviewed, all three supervisors stated they didn't interpret White's email to include a desk vacated when someone left. All three indicated they did not relay the contents of the email to their team. All three reported Moore did most of the talking in the brief exchange.

A short time later, Moore returned to Engler's office with White. All three supervisors were still in Engler's office and reported that the door to Engler's office was slammed or closed loudly by either Moore or White. Each supervisor reported that White was yelling or screaming and crying. White questioned the supervisors about Oleson's statement (which was conveyed to her by Moore) and told the three supervisors that Oleson was now the second person to make a statement about White not liking or hating her or "them".[1]

White did not question the supervisors about their understanding of the February 26, 2025, email. Her exchange with them focused on Oleson's statement. At some point, White conveyed to the supervisors that, "*I'm not doing this today. I'm going home*." The supervisors reported the interaction was brief – only a minute or two long. White did not end up leaving work.

Following the exchange with White, Supervisors Engler and Wherry contacted Human Resources ("HR") to report White's behavior. Both provided their written statements to HR the following day. Oleson provided her own unprompted, written statement following her interview.

White also contacted HR on March 3, 2025, and asked for a meeting. That meeting took place the following day on March 4, 2025, with Moore and Labor Relations Analysts Tara Hallam and Vicki Moll. White stated, "*The reason I'm asking for the meeting is because this to me seems just another reason of undermining what we are trying to do here in this office."*

On March 4, 2025, following the meeting with Moore and White, Moore sent an email to HR with the subject line of "Continued Concerns." She reported hearing that Oleson "*has been telling people in the office that I berated her*." She also stated, "*Now, hearing that she has told others I*

[1] Melissa Buckman (formerly Jaso) being the other employee to make a similar statement.

berated her is causing me significant distress and leaving me feeling psychologically unsafe at work. The implications of her words are not just hurtful but also have a broader impact on the team dynamics and trust within the office." Moore was scheduled off work for the next couple of days; she met with HR on March 12, 2025. Moore was interviewed from the perspective of concerns she raised in the email and not as a subject of the investigation.

Investigation

Interviewees:

Constance White, Clerk of the Superior Court
Danielle Frazier, Legal Assistant 2
Joey Sonntag, Legal Assistant 3
Melissa Engler, Legal Processing Supervisor
Nicole Carbone, Justices Services Administrator
Tonya Moore, Chief Deputy Clerk
Tyler Wherry, Legal Processing Supervisor
Whitney Long, Legal Processing Supervisor

The three supervisors and Oleson all reported White's behavior as angry, emotional, and crying. White, too, stated she was emotional and crying and stated Oleson's comment was hurtful to her. All three supervisors were left confused by the outburst stating the matter could have been resolved simply as a misunderstanding. After Moore left Engler's office the first time, Engler approached Oleson and told her she would not be able to move at this time. All three supervisors stated the matter should not have risen to yelling, screaming, and crying.

When interviewed, the supervisors were asked if they had ever seen White behave in a similar manner. All three relayed the incident of February 19, 2025, in which White brought a binder into a team meeting and explained it was inappropriate for employees to be keeping binders with mail from inmates and copies of legal documents. [2] She told the supervisors that two binders were found in 2024, and she understood there were no other binders. The supervisors described her behavior as emotional, with a raised voice, crying, and accusatory towards the supervisors. At the meeting, White talked about finding a letter in the binder from an inmate written to his mother and stated she would do everything in her power to reunite the letter to the intended recipient.[3]

The supervisors also brought up a recent recruitment in which three LA3s were hired. The supervisors indicated they had been removed from the process contrary to prior recruitments. Moore also brought up the recent recruitments and stated that White removed the supervisors from the process because it had been conveyed to White that a supervisor had told one or more employees they would receive the promotion. When interviewed, White substantiated what Moore reported; however, she stated she did not remember who told her. She was also asked if an investigation had been conducted to determine if the report was accurate. She indicated no investigation had taken place, but it was her intent to do so in the future. The three supervisors intimated that the recruitment resulted in the selection of two employees who have a personal

[2] Two binders were found in 2024 that contained copies of legal documents. A review of the contents revealed no confidential documents. Employees put items they found humorous or interesting in the binders.
[3] When interviewed, White stated she had not taken any steps to find the mother.

relationship with White. One employee who was promoted is her house sitter, and one employee who was promoted receives occasional gifts from White, such as clothes White no longer wants or food items. No personal connection to White was offered for the third employee who was promoted. The supervisors voiced their opinion there were more qualified candidates then the two promoted employees with a personal connection to White.

A complaint has since been made to the Personnel Board regarding this recruitment.

Summary

On March 3, 2025, two supervisors in the Clerk's Office brought concerns about White's behavior to HR. They conveyed that White conducted herself in an intimidating and inappropriate manner. The report that White was visibly emotional was confirmed – even by White. The March 3, 2025, event centered on White's questioning the three supervisors and Oleson about Oleson's statement – even though Oleson only reports to Engler. White questioned the supervisors to get clarification about Oleson's and another employee's statements – something that none of them could provide. The concerns raised by the two supervisors were substantiated in this instance. White raised her voice, and her line of questioning to the three supervisors remains confusing.

It was further established that White has engaged in similar behavior in another instance. The February 19, 2025, meeting was another occurrence in which White was visibly emotional. She questioned the supervisors in a public forum about behavior employees were engaging in that was outside of normal work in the Clerk's Office. The supervisors relayed their perspective that White lectured them "to be better."

Further, it is concerning to HR that White removed the three supervisors from the last recruitment process based on hearsay. If it is true that a supervisor relayed to employee(s) they would receive a promotion prior to the conclusion of the process, that supervisor has betrayed their leadership role and should be held accountable. It is also a concern that the perception is the promotions went to three employees hired by White, two of which have a personal relationship with her. A common theme in the interviews was that employees hired by White are treated differently than employees she "inherited." When asked to clarify these statements, interviewees relied on the turnover rate – which is substantial – to support their position.

In all three instances above, White has treated the three supervisors as one entity: the February 19, 2025, meeting regarding the binder; the decision to remove the supervisors from the recruitment process; and the March 3, 2025, event where she conveyed to four employees, "the supervisors are not doing their job." It remains unclear as to why White continues to express her disappointment with the supervisors collectively instead of individually.

Several of the interviewees indicated concern about retaliation stating they have seen how other employees have been treated. When asked to clarify this, the names of former employees were provided, many having a leadership role within the Clerk's Office, who left allegedly under duress – even to the point of physical ailments. One interviewee with this investigation relayed the event has left her sleepless, without an appetite, and concerned for her overall health.

Also of note, White made statements on March 3 and 4, 2025, to employees and HR that this event was another example of employees undermining the steps she has taken to change the culture in the Clerk's office ("*The reason I'm asking for the meeting is because this to me seems just another reason of undermining what we are trying to do here in this office.")*; however, the behavior she openly exhibited on March 3, 2025, is counterproductive to changing the culture in a workgroup. Her behavior, which rose to the level of disrespectful and inappropriate, was experienced by Oleson and the three supervisors and witnessed by other employees arriving for work at 7:30 a.m. – some of whom overheard White "yelling at the supervisors." Following this event, Oleson and the supervisors were approached by several Clerk's Office employees asking them if they were okay. It appears this event has been much discussed amongst Clerk's Office employees.

From: Janelle Oleson
To: Constance White
Cc: Melissa Engler; Tonya Moore; Vicki Moll
Subject: RE: Desk movement
Date: Wednesday, March 5, 2025 1:20:44 PM

Good Afternoon,

I am in receipt of your email and look forward to continued discussions and collaborations. Thank you.

Pierce County

Janelle Oleson
Legal Assistant

Pierce County Superior Court
Clerk's Office
930 Tacoma Ave South
Rm 110
Tacoma, WA 98402

Phone: 253-798-4857

From: Constance White <constance.white@piercecountywa.gov>
Sent: Tuesday, March 4, 2025 2:35 PM
To: Janelle Oleson <janelle.oleson@piercecountywa.gov>
Cc: Melissa Engler <melissa.engler@piercecountywa.gov>; Tonya Moore <tonya.moore@piercecountywa.gov>; Vicki Moll <vicki.moll@piercecountywa.gov>
Subject: Desk movement

Good afternoon,

I hope this message finds you well. I would like to take a moment to express my sincere apologies for the confusion and hard feelings that arose yesterday due to miscommunication regarding the desk movement. It was brought to my attention that the email sent to the supervisors regarding this issue, may not have been read by all, which ultimately led to a breakdown in communication with the staff.

I truly appreciate you initiating the discussion after the incident to discuss ways we can enhance our communication process. I also appreciate the apology regarding the statement made. Your honesty in highlighting the disconnect has been invaluable, and I am committed to addressing this issue to ensure that all team members are kept informed moving forward.

I look forward to our next meeting, where we can outline actionable steps to improve our communication strategy. Thank you once again for your understanding and collaboration.

Sincerely,

Constance

Constance R. White
She/Her/Hers
Clerk of Superior Court
Pierce County Office of the County Clerk
Phone: 253-798-3371
930 Tacoma Avenue South, Room 110
Tacoma, Washington 98402-2117
Email: constance.white@piercecountywa.gov

Notice: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

Nichole Scott

From: Kandace Thomas
To: Kim Schwannecke; Deb Baumann
Subject: RE: Employment Records Request
Date: Tuesday, May 9, 2023 9:50:34 AM
Importance: High
Sensitivity: Confidential

Hi Kim,

The original request from the employee in the email below and noted here:

2) I spoke with Maura Maye and Lindsay Derrick, confidentially, regarding issues I was having with Constance being abusive and threatening toward me during my time with the Clerk's Office. I believe they took notes during these conversations. I would like a copy of these notes, please.
3) I would like a copy of any and all records placed in my file regarding my termination and the reason(s) stated.

These two questions appear to be a PRR. I asked Deb to consult with Labor on the full request. Tara's response is below and she noted she is happy to work with you on the request.

We do need to respond to the employee. Are you good with us responding back to the employee on question 1 (with Labor's response) and letting them know that questions 2 and 3 appear to be Public Records requests and we have forwarded their request to our department's PRO?

We will wait to respond to the employee until we hear back from you.

Thanks very much,
Kandace

From: HR Labor and Employee Relations <HRLaborandEmployeeRelations@piercecountywa.gov>
Sent: Tuesday, May 9, 2023 9:32 AM
To: Deb Baumann <deborah.baumann@piercecountywa.gov>
Cc: Kandace Thomas <kandace.thomas@piercecountywa.gov>
Subject: RE: Employment Records Request
Sensitivity: Confidential

Hi Deb-
In response to number 1:

> *3.38.040 Employee Response to Evaluation.*
> *Within ten working days after receiving a copy of an Employee Performance Evaluation, the employee may file with their supervisor a signed and dated written response to the evaluation. The*
> *response may specify any areas of disagreement with the evaluation, but shall be limited to the specific content of the evaluation. The employee's response will be signed and dated by the employee and shall be reviewed by the employee's supervisor, any intermediate supervisor, and department director.*
>
> *If the evaluation is not changed as requested in the employee's response, the employee's written response will be included with the evaluation through the normal review process and forwarded*

to
the Human Resources Department for inclusion in the employee's personnel file. Employee Performance Evaluations for Career Service employees who do not serve in positions covered by a union agreement shall be subject only to step 1, 2 and 3 of the grievance procedures in Chapter 3.48.

Since the time allowed under the Admin GL has lapsed, we are unable to file a response into the personnel file as requested. In case it comes up, please note that we have consulted with Legal in the past and have been advised that we cannot file anything in the personnel file that is not on the list of approved documents.

In response to number 2:
I can work with Kim on making this into a public records request and let her know what records Labor may have. We are unaware if the employee spoke with Maura and Lindsey, or if they have notes that would be responsive. If you'd like to forward that portion of the request to Kim with these parameters, I would appreciate that!

In response to number 3:
I can work with Kim on gathering these records under RCW 49.12.250, as we have been advised by Legal in the past to process requests for employees that have separated within a year under that statute. If you'd like to forward that portion of the request to Kim with these parameters, I would appreciate that!

Hope that helps~

Best-
Tara

From: Deb Baumann <deborah.baumann@piercecountywa.gov>
Sent: Tuesday, May 9, 2023 8:27 AM
To: HR Labor and Employee Relations <HRLaborandEmployeeRelations@piercecountywa.gov>
Subject: FW: Employment Records Request
Sensitivity: Confidential

Hi Labor Team,

Kandace asked that I refer Nichole's questions to you for response and possibly refer question 3 to Kim. I believe this would be a PRO request since Nichole no longer works here. I can just send question 3 to Kim and ask her to respond to Nichole as I don't think it would be appropriate to send the entire message to her for confidentiality purposes. Or would you respond to all questions below?

Thank you,
Deb

From: Nichole Scott RC3 [redacted]
Sent: Monday, May 8, 2023 3:02 PM
To: Deb Baumann <deborah.baumann@piercecountywa.gov>
Subject: Employment Records Request

Hi Deb,

I hope you are doing well. I was hoping you could help me with a few things or forward my request to the correct person.
1) Listed in my review (I believe it was a 4-month review) is a remark from Constance White stating that I was reprimanded for giving away "confidential information". The "confidential" information I disclosed was me telling a supervisor, whom I was already assisting and Constance had already told I would be providing additional assistance to, that I would be ordering the office supplies for the office at some point so she didn't have to worry about it forever. The supervisor (and all other random employees who were given the task in the past) were getting tired of doing it and she brought it to my attention. My reply was just stating that it was one of the tasks that Constance was going to have me help with eventually. I spoke with Maura Maye and Lindsay Derrick about this after it occurred, and they confirmed that the information I disclosed to the supervisor should not be considered confidential. I would like this updated in my file in case a future employer requests these records or in case I need them in a complaint against the Clerk.
2) I spoke with Maura Maye and Lindsay Derrick, confidentially, regarding issues I was having with Constance being abusive and threatening toward me during my time with the Clerk's Office. I believe they took notes during these conversations. I would like a copy of these notes, please.
3) I would like a copy of any and all records placed in my file regarding my termination and the reason(s) stated.

Thank you so much for all of your help with this, and I'm so sorry to bring you into anything negative. Please let me know if you have any questions or if you need anything from me.

All the best,
Nichole Scott
RC3 [redacted]

2/15/2023 t/c w/Nichole Scott - CW admin asst (started 9/12/2022, probation ends 3/19/2023)

Started 5 mo ago. Everything good, getting along well. No issues with her. Did notice her bad mouthing other employees on phone to coworkers or family/friends. Would spend rest of day talking about it. Happened many times.

CW would say, Nichole, let me tell you what this person just said and then start calling others to talk about it.

CW told NS that if she ever repeated anything that CW said in her office, she would deny it. Told NS she's CWs confidential person and they would believe CW.

About a month ago, CW turned her frustrations on NS.

CW told a couple employees they could come and talk with NS and CW, then changed her mind. CW said they needed to mind their time and not use her, CW, as an excuse.

CW told NS not to have friends in the office because she believes they are coming to talk to NS to get to CW.

CW was invited to Queen's Table, which is an apparent honor to be invited to and CW was very excited. Another attorney NS is friends with told CW to invite NS. Then CW started getting really mad at NS.

NS told a supervisor that she was going to be helping with office supplies later down the road. CW told NS that she was giving away confidential information and that she can't trust her anymore. She was extremely upset when talking to NS. Kept saying over and over, I'm so angry with you, I'm so angry with you. NS apologized for sharing the information and told CW it wouldn't happen again but she couldn't understand why CW would be so upset about office equipment. CW wrote a 90-day review on NS that was good and then told her that said had to take it back. NS claims the eval in Workday is different than the one provided to NS in email.

The next day when CW came in, she was still upset. Said she was up all night concerned about it. CW stated she is probably going to have to fire her now because of it. Said probably going to have to let her go or do a two-month extension of her probation. Since then, she's been making nasty comments, like "it stinks in here." CW stood next to NS and said, "it smells like a dead rat."

CW was on a three-hour conversation talking about her family, laughing, and joking, then she flipped a switch and told NS, "I'm really in a bad mood today." NS told her she didn't seem like she was in a bad mood and asked her what's wrong. CW said must be the energy in the room. NS said it'll get better, and CW said, it's going to have to because I can't deal with this.

There was a staff meeting in the breakroom. At the end of meeting NS said hi to Aliyah. Aliyah was one of the staff coming to NS's desk talking. CW saw the interaction and confronted NS. CW was extremely upset and said in a very confrontational manner things like, Do you not understand what I said to you, did I not make myself clear. Why are you having conversations with her. This is the job, you're nice and I'm not trying to change you, but you need to know this

is the job. NS tried to explain that she was just saying hi and being friendly to Aliyah when walking out of the meeting. CW said NS was not allowed to talk to Aliyah. CW said she has a problem with Aliyah so NS can't be friends with her and stated it was about optics. CW told NS she could be friends with Kylie because, "she's a nice girl."

CW has been making snarky comments and makes sure NS can hear her. Told NS she has to go speak with HR and was going to be offsite. NS knew she was talking about her with Judy b/c door is always open when CW is talking about others. CW made a comment, "she can if she wants to but there will be crying." CW looked at NS and laughed and then walked out. NS believes this was about her and directed toward her.

NS believes it is obvious CW is trying to make me leave based on her comments and attitude toward NS. Sometimes CW will look past NS like she doesn't see her. This is a change in behavior.

CW told NS she wants to get back to where they were, but that NS needs to show CW that she's there for her. NS asked CW what she meant and told her she believed she was here for her because she volunteers for projects and helps where she can. CW responded that she is independent, and we'll just have to see. She told NS, "You have to show me that you're here from me."

CW told a supervisors at the counter that she wanted to fire Aliyah but was concerned about the optics and then had to fire her because she wasn't doing her job. NS thinks CW is trying to make her quit. She doesn't want to have to fire another black woman because of CWs concerns for the

NS has started looking for other jobs. Doesn't want to work for someone who can be that nasty to people. Is a single mom and needs to support her family.

Melissa Arnold

8/29/2024 @ 1:51 p.m. - Constance White & Alyssa Cavanaugh

Constance is very upset with the statement made by John Howell, union rep for Teamsters 117, during today's demand-to-bargain. Specifically, that he stated employees are worried about the visitor policy not being applied uniformly due to employees hired prior to Constance being treated differently than those hired after. That is "my name" and him bringing that to the table and without some specifics for me to address, which is my job, that is highly inappropriate. Stuff like this contributes to the hostile work environment that I continue to experience. AC told Constance she totally understands and while it didn't land that way, it's hard to imagine John's intent was as Constance describes. He's doing his due diligence as a rep to bring forward concerns that he hears from his members, and reps don't always disclose the specifics or details. Constance argued this and said the intent doesn't matter, and that John shouldn't be making statements without providing the details – that's not fair. She wants something done about it and will be sending an email. AC said she will talk to Melissa and get back to her.

Constance, Melissa, Alyssa

CW John was trying to characterize me as something that I'm not.

MA John is just doing what he feels he needs to as a rep. There was an issue with the Teamsters vote, he might've been trying to gain back some credibility with his members.

CW NO, NO, NO! Not anymore. I'm not doing this anymore. I have been on the receiving end of hatred, hostility, since I got here. People are saying things, tell me what I'm doing wrong? Just tell me. Just tell me what I'm doing wrong! How am I treating people differently? If you're not going to give me the opportunity to fix whatever it is, I have, supposedly have done, how is it just okay for somebody to tell me I'm treating somebody differently but they don't want to say who it is or put it in writing?! How is it okay for you to just say it?!

MA John did tell us that some of the employees feel the visitor policy is unfair because you have your family in the office. I don't know if that's what he's trying to relate it to.

CW This is what happened, my son flew up from TX, he was in my office for about 25 minutes! I asked Janelle to come over because she follows him with his music, thought it was a great opportunity for her to meet him. She met him and stood here and talked with him. My family doesn't live here, want to take every opportunity to spend with my family. If that's wrong, let me be wrong. He wasn't out walking around, was in my office talking to me for about 25 minutes then he left!

MA That's why these are so tough, he hears from his employees.

CW Exactly, John needs to do a better job and talk to people being accused. I don't have a problem with it. I have to deal with somebody I am afraid of coming down in this office to intimidate me every chance he gets. And you know what? Also, staff that's here that allows him to come down here. I have a panic button in my office because I'm scared. I have

security watching me to my car because I'm scared! But I'm supposed to let this keep happening to me? If you don't protect me, I'm going to protect myself. If I have to get legal counsel, I will. Tired of being berated, disrespected, hostile environment I have to deal with this every day. And nobody seems to care. When I say something because he's saying something that's being repeated, except my son came one day, one time. I'd do it again. You know why?! This is my office! My son can come and see me if he's flown all this way to surprise me because he understands what I'm going through here. All I ask, I go and spend my own money to make this a nice space for these same people who are so mean to me, won't even say good morning, but I'm treating them differently?! I don't understand that. I buy a 55 inch TV and they say "it should've been a 70, why wasn't it that?" I can't win. I can't win!

MA I have nothing I could say that would make you feel any better. I wish I did.

CW I just want the people to be held accountable. I'm scared, I've told you that. I'm afraid of these people. They are ruining my name and my career. Something I've been working on for 25 years. To come here and just take it all away from me. They don't like rules. They don't like accountability. That's all this boils down to and I don't know how to fix it. And I'm done trying because it doesn't matter, they get to say whatever they want to say. If I say something back, they say I'm retaliating against them. Not retaliation, I just want people to think I'm not mean and what they are putting me through mentally, but nobody cares because I don't matter to anybody in the County. I'm the only one that's looking out for me. People say whatever they want and it's not fair!

MA I can't possibly put myself in your shoes. Nothing I can say to make you feel better. Let's go ahead and end this call and we'll need to connect at a later time.

CW No we don't, we don't. Thank you.

[Constance then hung up the call.]

Emma Gaddis

RE_ Phone Call.msg

2023-08-25

Emma Gaddis reached out via email (see above) from home requesting a call. Scheduled for 4:15 PM.

Call at 4:15 PM

EG: (Crying) Unsure what to do and scared. RC4 [redacted] Very scared to tell Constance, afraid of retaliation. Have seen the way things are, if I am retaliated against, I know nothing will be done about it. I'm scared to have the conversation with her, not sure what to say.

AS: I'm sorry, Emma. Do you want to talk more about what that means? The way things are? (seems leave may be related to work?)

EG: No, it won't do any good. Nothing will be done.

AS: I understand you are concerned RC4 [redacted]

EG: RC4 [redacted] I know it would not be discipline, but there are other ways that are hard to prove.

AS: RC4 [redacted] You can then have your conversation with Constance knowing that is in place.

EG: I don't know how to talk to her about this, I've seen how things go.

AS: RC4 [redacted] I also encourage you to reach out to us again if you are willing to talk more about your concerns. You can call me any time. I know you know this as a manager, but it can be hard to remember when it's for us. If you're not comfortable talking with me, remember you can reach out to EAP. It's important to get things out.

EG: Thank you for that, I appreciate it. RC2 [redacted].

AS: Let me know if you need anything else.

EG: I will, thank you.

End at 4:25 PM

EG mtg with BD @ CCB – October 31, 2023 – 2:00 - 2:30 p.m.

County: Bruce Dammeier (BD), Emma Gaddis (EG) Spencer Fishback (SF)

Start at 2:03 p.m.

BD How are you?

EG Not good. [cries] Thank you for agreeing to meet with me. It's not easy to do. I am a 27+ year employee, not a disgruntled employee, not the person I am at all. In order for me to heal and get well this is what I need to do. I have some concerns with the Clerk's Office. The behavior and how staff are being treated is not okay. I will not sit and be part of that any longer. It's not who I am. Absolutely will not. I have had to resign because I will not be part of that behavior down there. I know there have been employees who had concerns who have resigned because they were afraid of retaliation. I was afraid of retaliation. I am extremely afraid of retaliation. Even now. Letters have been sent, I have talk to numerous people and nothing has been done. I cannot sit and watch that behavior. I cannot sit and watch - in 27 years I have never seen staff be treated that way. I have a list. That office is not running because of anything that she has done. Half the time she is not present. In order to be a manager you need to know some of the work your office does, at least some of it. She has not one time, learned one thing in that office. I have numerous names who have these concerns. I talked to Dan Grimm and told him that this is not okay and that the office was a great office, in fact the best office in the state. It is now one of the worst. They are barely running the office to statutory duties. There are issues with how she treated the Pretrial Manager, and the Finance Manager, one of my biggest concerns was in May 2022, six-months after she was hired, and she didn't know what an RCW was. I had to explain what an RCW was. She told me that if this got out, she knew where it would have come from. She is a bully, abusive, she has threatened people and has created a toxic and hostile work environment. In August, she said she "trusts me until she gives her something not to." That is bullying. I was always told that the County has a zero-tolerance policy for bullying, and I am not going to sit and watch that. She told Andrea Kelley and I that she makes a great friend and an amazing enemy, she told me that she doesn't fire people, but she makes an environment to make someone not work there. In the time of a 1.5 years, we have lost 16 staff. There are over 200 years of knowledge that's gone down the drain. During Chris Hutton's investigation, we were told by HR not to discuss this because it could be led up to termination if we did, I find out that she was discussing it with frontline employees the entire time and that when the original finding came back it was unfounded. She was so mad, that she went back and went up hire and if there wasn't anything she would file a lawsuit. The frontline person told me when that person left - -

BD That she, Constance, would initiate a lawsuit?

EG Yes. She has badmouthed - - she's a bully, she's threatening, she's a liar, she has flat out lied in front of my face, she knows that I know that they're lies. She makes it a point to come in, that is not true, nearly all of the times I was gone, she was out of the office. She

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has told me that she is the first one in and the last one to leave, that is not true. Melissa and I are, 99% of the time, the first ones in the office. She tells people that she's the last one to leave, that is not true. Most of the time she is not in the office, I never had a clue whether she was going to be in or out of the office. I'm sorry, I'm getting off track and I'm trying to hold myself together [cries]. As part of that, she has never one time checked to make sure that a manager was there to unlock or be there for the staff or make sure managers were there to leave. In fact, since I have been on medical leave, and I am on medical leave because of it, I ended up having a mental breakdown. While I have been on leave, the first week I was out, the other managers were out of the office. She knew there were no managers and she decided not to come in. She said in front of meeting to say that they need to make sure they're not taking time at the same time. I would have been there if I wasn't in the emergency room. To know managers aren't there and to chose not to come in. She has told me that she would lie to you, Dan and Judy and she told me "Who do you think that she would believe?"

I consider myself an exemplary employee, I have never been written up or anything. I am not someone who complains, I have never complained about anybody. I have never filed a complaint, I am not going to sit back and watch it, it is not okay. It is gross, it is disgusting. I am not going to be part of that. It makes me - - I have a lot of emotions, I have had to resign, which is not what I wanted but in order to heal I had to. I am angry, I am hurt, I am disappointed in the County that this is allowed to happen after numerous people have filed complaints. I have talked to Dan Grimm and HR, and I am told that "our hands are tied." We are told that we are entitled to a safe working environment but that it is not a safe environment. She - - when - - part of it when I got promoted to Chief Deputy Clerk, I feel that I have been taken for granted, she has known that I have been buried for two-years, I am doing my duties of my previous job as well as trying to be the Chief Deputy Clerk and do all the HR, payroll, arbitrations on top of running the office and being the Chief Deputy. I am working 10-, 11-, 12-hours a day. A lot of time without breaks and lunch, I am exhausted. What really created - what sent me into that breakdown, everything that was happening with the Fiscal Manager I told her when he, JJ Justin Joyce, left the person that was in line to do that position, the strategic plan was that the AA4 would take his spot, but when she left a little before he told her before he left that she needed to come in and learn a little bit of it and he told her that she needed to make sure that Mandi know what to do. He gave his notice on a Wednesday and on Thursday and Friday and she didn't come in. On Monday she came into my office and said "I have some learning to do. I told JJ that my calendar is open," but she never sat with him. Most of the time she didn't even come into the office. Most of the time when she did come in she wouldn't even acknowledge him. On a Tuesday, can't remember what day it was, she came into my office, I broke down in tears, I told her that I couldn't handle it anymore and how the Fiscal Manager and how she was dealing with Mandi. I told her that I couldn't take it anymore. I told her that I am at my wits ends and broke down. She came in two days later and told me that she cannot handle that anymore after being there for an hour and went home. I asked her if there is anything I can do? She said, I can sit with Mandi and learn the fiscal work. I went home that night and totally break

down and had a mental breakdown after telling her two days prior that I couldn't do anymore. That was the final straw, then two days later I am told to do more because she cannot handle it. The Fiscal Manager that we did hire, I sat in on the interviews, JJ, Stacy from Juvenile Court, and Constance sat in on those interviews. Of the three candidates, the person that she selected was Danielle, she was the better of the candidates, but the three of us did not recommend her because she was not the right person because she was more of a budget analyst instead of fiscal manager. She took an attitude with us. I had to go home to England to take care of my father, and told her that she wasn't the right person for the position. I was over in England - I take my computer because there is so much work to do - - and there was an email from HR saying "welcome to Pierce County" and it was the person that we didn't recommend. The next morning, I had a popup, that said "I just wanted to reach out and…I know you're on vacation but just in case I reached out to Danielle and discussed the concerns you all had and I offered the position...."

She was a disaster from the get-go. One of my managers asked if I had seen the email from Danielle to Mandi - I read three lines and I said "this is not okay, this is not appropriate", the manager asked "when can I speak up?" I said, "now!" I told them that I can speak up if you're not comfortable, the manager went over and told her to "stop" if you have concerns with someone you need to go talk to someone, not send an email. The emails that Constance writes are terrible.

I am hurt, upset, I know that people have spoken up about it. It is so disturbing to me that nothing has been done in regard to that. She - - the communication in the office is terrible. One of the candidates that applied for the fiscal position was an internal position and she was never told that she didn't get the position until there was a monthly staff meeting, my phone was pinging, I had a message that said that Constance told Whitney that there were no good candidates in a staff meeting because Emma wanted to put it out longer. She wanted to use me.

We have lost 16 employees, including myself. 11 that have left or retired. 5 have taken transfers, 3 or 4 more that are on the way out, that is unheard of. I have worked 27.5 years and I have never had that many employees leave in 1.5 years. We have maybe had two due to retirement. The other thing is, not one time, has she ever been to the Board of Equalization and not once has she met any of the staff at the Board of Equalization. I sat in a meeting, and she told people how important she is, and how she is over the Board of Equalization and the director over arbitration and explained that is when you're not happy with property taxes it goes to arbitration.

I understand you may have an agenda for her.

I feel that I have been used. I cannot sit back and watch that behavior. It is wrong. Like I said, I know justice is going to prevail, and I know that nothing is going to done, but for me to heal I need to know that I did everything I could, and I tried everything I could for them. They are good employees and it's a good office. That's all I have to say.

BD I think - - thank you for coming in and for sharing.

EG I have taken another job, I have taken a huge pay cut. I have three years left until I retire. I have worked hard, I am very a hard worker, I am good person, I am not going to sit back and watch this behavior continue. There are several of us in discussion with an attorney to see what we can do. I am pretty sure that justice will not prevail, she is - -she is going to lie to you. She told us that she said that she would lie to you, Dan and Judy because she said "who do you think they'll believe?" I am not telling lies, I am an honest person.

BD May I ask where are you going?

EG Court of Appeals in Seattle.

BD I wish you the best.

Ended at 2:38p.m.

Chris Hutton

5/5/2022 meeting with Constance White and Melissa Arnold

Has had a panic button installed in her office due to a situation last Friday.

Told Chris he was not selected for the position. RC2 [redacted]
Thought MOE would be enough to settle things down a little bit. During Friday conversation he was like a light switch, crying then angry then crying then angry. Unpredictability is concerning. Sitting up and leaning towards her saying what am I supposed to do now? You are supposed to d your job. That was supposed to be my job. I was supposed to get your job, I was supposed to get this job, what do I do now? Tried to redirect him and told him he is an asset and knowledgeable and needs him in the role he is in and he starts crying again.

He is now isolating himself in his office. Wasn't here yesterday (Wed). Had to move out of office he was in for painting, did that while she was on leave in Texas. Told him will make decision about deputy position when she returns. (That was deputy office).

Always trying to strategize when talking with he as concerned about his reaction. Made a mistake that she positioned herself in the corner of the office and was afraid.

He kept saying "You need to find me a place here." And she responded, "You have a place here."

Security assessment and thought security button a good idea.

Hasn't physically done anything. Concern is unpredictability. Concerned about his instability. Behavior has gotten worse since she arrived. Behavior already there as others had told her that. Started when he didn't get past phone interview for clerk position. Isolated for weeks, wouldn't talk to anyone, slamming doors. When she arrived, his reception was very unpleasant.

Incident with exec office and then MOE. He goes from one extreme to the next.

I'm going to show you that I can do this, and he becomes so nice to everyone. Asks her to check with his staff to see how he is doing. Staff will ask her what is going on as he is never helpful.

Follow ups would be hot and cold – crying a little bit and then acting supportive. And, then quiet, reserved, and isolates.

Told all candidates to put best foot forward and assume panel does not know what they do. There were panel members that did not know the candidates. Had to delay her conversation with him by one day due to family issues. When meeting with him, he said, "I was prepared for our meeting yesterday, but you didn't come in." Conversation immediately went south because he was already upset. Tried to talk about job itself and tried to redirect because could tell he was already upset. "I had to walk over here and now can we just move forward." Let him know another candidate was selected for position. "What did I do wrong?" "Who was it?" Cried and said, "What am I supposed to do now?" Kept saying it, about three times, and none of her answers were okay with him. When he leaned forward, that's when she got nervous and ended meeting. Got up and got out of corner and opened door all the way. Said, "I'm leaving at 3:00 today and want you to know it is not because I didn't get this job."

Meeting on Tuesday, getting ready to start meeting and he was standing right next to her.

Found out that he is the department's security coordinator when facilities said they had to inform them when having panic button installed. Now has to take that duty away from him.

Trying to always make sure she is not doing anything that will set him off. RC2 [redacted]

Employees don't go through security and concerned is today the day. Doesn't want to be a problem person to complain, wants to help, believes he is a good person.

In meeting – angry – head down, lifted head up, leaned forward, voice elevated. What am I supposed to do now? Where is my place? Voice was direct and enunciating each word. Stern, dominating, intimidating. When leaned forward, started to get uncomfortable and never retreated from leaning forward. Could have reached across and touched her. Leaned back and repositioned self and chair to be further away and moved feet. Readjusted for an escape.

"You need to tell me where my place is here." Your current job and available to staff.

Looked out window to see if Emma was available because feeling threatened and nervous and looking for someone who could help if needed. Trying to contain self and composure. Ended conversation and wanted to get out.

Too close at meeting. Had back to him, didn't know he was standing there. When turned around and would have touched him if hands were out. Shoulder to shoulder. Turned around and he was facing her. Startled. Leaned back and said, good morning. Looking directly at her. Half smile, no response. Stepped away from him and started talking to someone else. Looked back and he was still standing there looking at her. Then started meeting.

Office incident – talked with JJ and Andrea. Not a lot of details about own feelings but how uncomfortable it was.

Standing incident – Whitney Long, Emma, JJ, Andrea, Danielle

Staff – Emma, JJ, Andrea, Danielle

Emma got panic button installed as well.

INVESTIGATION
INTERVIEW RECORD

DATE: 05/16/2022 **TIME (start):** 8:30 a.m. **TIME (end):** 8:46 a.m.

EMPLOYEE: Emma Gaddis (8279) **DOH:** 09/30/1996

DEPARTMENT: Clerk's Office **DIVISION:**

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Analyst Cavanaugh may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

1. **Do you have any questions before we begin?** No.

2. **What is your job classification and what department do you work in?** Clerk's Office – Deputy Clerk.

3. **Who is your current supervisor?** Constance White

4. **How long have you worked with the County?** Almost 26 years

5. **Did you witness anything unusual or uncomfortable prior to the staff meeting in May?**
    a. Not necessarily prior to, did notice a certain employee standing right next to her (Constance). Chris Hutton.
    b. **Can you describe anything that comes to mind?** No, just noticed he was close to her. We were all kind of close, looped around in a circle by table. He was closer than most.
    c. **Did Constance notice?** Yes.
    d. **How? Did she talk to him?** Don't recall she talked to him, she turned away when she realized how close she was.

e. **What was her demeanor?** Body language that she was uncomfortable. You could tell she tensed up.
f. **If no – It was alleged that while Constance was standing at the front of the room prior to the meeting, she turned around to find Chris Hutton impeding her personal space and standing very close to her. She said that she said, "good morning," and that he just smirked at her without moving or saying anything in response. She turned away from him and began talking with _____, and when she turned back around several seconds later, he was still standing directly next to her.**

6. **Has Chris ever shared anything about his feelings about not getting the Clerk or Deputy Clerk position?** Not with me directly, no. He made it very obvious. Clerk position: never said anything to me but not happy when he didn't get it. The way he responded was very inappropriate. At end of day understand he's upset but still a job to do as supervisor. Pretty much locked, not locked, but stayed in office. Took a lot of vacation. Deputy clerk – hasn't said anything to me other than "congratulations" and when I was in the office he stood for a while very quietly, thought he was going to cry. He said "I know this isn't easy for you and I'm not going to make it hard on you." I said "thank you, appreciate that. I know this isn't easy but if you want to move forward and have the clerk's office we know, we need to work together. If that's something you're not able to do we'll need to figure out." He has been okay since.

7. **What was his response?** He was angry.

8. **Constance's position – any specific actions since she arrived?**
   a. After Constance arrived, Chris was called to her office. I didn't know what it was for, but when he came back I saw he walked back across, I was standing away from his office and I heard his door slam. Assume he was not happy.

9. **You and Constance both had panic button installed, anything in particular that drove you to have it installed?** No, just because of location – not over there anymore, other side of office. I'm now in office Chris was in.

10. **Do you know that Constance had panic button installed and why?** I think because she felt uncomfortable with way he was acting. He has pretty much been in his office since announcing Deputy.

11. **Not typical? Prior to Constance was he in office w/door shut?** No. He was mostly out front because he felt he was in charge. Primarily after he didn't get past first part of phone screening that he started to stay in his office.

12. **Have you ever witnessed or experienced any behavior by Chris that made you feel uncomfortable or unsafe?** I haven't felt uncomfortable. I think he's been acting strange but not necessarily uncomfortable. The other night he acted weird when there was a gentleman in the hallway and Chris asked if he needed help. I heard Chris say "Why do you talk to me like that?" He shrugged his shoulders and was like night/day, super moody, didn't say anything to

anybody. We all wait for each other to walk up hill, he was super quiet and walking by himself. Has not physically made me uncomfortable. I don't know what's going on in his life but definitely something because of the way he's been reacting. Family? Work I'm sure but haven't seen him be so moody like this.

a. **How long have you known Chris?** 18-19 years

13. **Is there anyone else with first-hand information that you believe we should interview regarding this complaint?** Not that I can think of. He's very much a narcissist. His way or no way kind of person. Don't know that there's anyone that would say he's made them uncomfortable.

14. **Has he always been that way or more since Constance?** Always. I always felt, when around him, that my opinion never mattered or counted because it wasn't his idea.

15. **Any other shift since he's hasn't gotten either position?** Not really, just way he is right now. Did get better for a little bit when position was posted but back in his office. Still talks to me and has come out a little bit when he's needed to fill in but mostly in his office.

16. **Is there anything else you want to share with us today that we haven't asked you about?** Not that I can think of.

Closing

In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

We are asking that you refrain from discussing the content of this meeting with other employees in order to ensure that you do not influence (nor cause the appearance of influence) the outcome of the investigation.

I am also advising you that you must be careful to avoid any appearance of retaliation against anyone who may be participating in this investigation. Any form of retaliation will not be tolerated and may result in discipline up to and including discharge.

INVESTIGATION
INTERVIEW RECORD

DATE: 05/16/2022 **TIME (start):** 1:00 p.m. **TIME (end):** 1:18 p.m.

EMPLOYEE: Justin Joyce (28902) **DOH:** 01/17/2012

DEPARTMENT: Clerk's Office **DIVISION:**

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Analyst Cavanaugh may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

1. **Do you have any questions before we begin?** A bit nervous about providing truth and being honest, one of parties might have an issue. Information getting out into public and parties' hands, retaliatory consequences.

   County takes retaliation seriously. If you feel retaliation, we want to know immediately.

2. **What is your job classification and what department do you work in?** Fiscal Services Manager, Superior Court clerk's office. In office.

3. **How long have you worked with the County?** 2012

4. **Who is your current supervisor?** Constance White

5. **Did you witness anything unusual or uncomfortable prior to the staff meeting on _____?** Staff meeting every month. Nothing before or after that I noticed.
   a. **If no – It was alleged that while Constance was standing at the front of the room prior to the meeting, she turned around to find Chris Hutton impeding her personal space and standing very close to her. She said that she said, "good**

morning," and that he just smirked at her without moving or saying anything in response. She turned away from him and began talking with _____, and when she turned back around several seconds later, he was still standing directly next to her.

6. **It was shared that while Constance was getting ready to leave, Chris Hutton was standing very close, continued to stare and not move away. Did you witness?** No. I know he sat next to her – Emma and Chris – I was on other side.

7. **How long have you worked with Chris?** Since I got here, he's been here longer than I have.

8. **Has Chris ever shared anything about his feelings about not getting the Clerk or Deputy Clerk position?** He was disappointed. General conversation, nothing deep.

9. **Inappropriate behavior to Constance being hired?** Inappropriate, no. Chris means well but he's a bit different. Nothing unsafe or out of norm that I've picked up on.
    a. **What did he say?**
    b. **What was his tone and demeanor?**
    c. **Was anyone else present?**

10. **Has anyone else come to you about that process?** No.

11. **Have you ever witnessed or experienced any behavior by Chris that made you feel uncomfortable or unsafe?** No.
    a. **What happened?**
    b. **Where were you?**
    c. **When, what time?**
    d. **How long did it last?**
    e. **What was his tone and demeanor?**
    f. **Why did you feel uncomfortable/unsafe?**
    g. **Was anyone else present?**
    h. **What were their reactions?**
    i. **Did you speak with anyone about what you witnessed?**
        i. **Who?**
        ii. **When?**
        iii. **Please describe the discussion.**

12. **Has Constance come to you?** A few situations where she's expressed concerns about his behavior. She's told me she feels like he could do something to himself or her. I thought that was not very substantial in my eyes. A couple times, I didn't document. Didn't think anything of it, I apologize. Just expressing his behavior has been off, highs and lows in same conversation.

13. **When Constance was describing what was her demeanor?** My boss, getting uncomfortable. Tough for me. Constance when she describes this, she's a pretty emotional person. Nothing I caught onto that was outrageous – just emotional reactor. Not crying this time.

14. **Other instances where she's come to you after an experience with Chris?** A few but not a lot of detail, just in passing and issues she's having with his behavior. He means well but he's pretty arrogant, thinks he's elevated in hierarchy but doesn't know himself that he acts like that. Comes off as narcissistic. Brought to my attention a few times. He got in trouble from her and she explained that situation to me.

15. **Can you tell me more about that conversation?** We had a situation where he got an MOE. Before MOE, she came to my office a couple times to express displeasure with how he does things on his own, makes decisions without talking to her. Details after that I couldn't get into, she's shown displeasure and wonders why he's overriding her. At same time, I have - this is tough – if defending both sides, every staff meeting we have she explains she doesn't want people coming to her with problems but solutions, and if you want to speak with her you have to get on her calendar. If not approachable, kind of caught in rough place.

16. **Chris slammed his door, remained in office?** Yes. Believe he slammed door – think it was after MOE.

17. **Staying in office?** Before Constance, out and about quite a bit more. Think rough couple years for him, thinks he's the man. Taste of your medicine, think it hurt his ego. Staying out of light. Can't talk for him but yes he stays in office little more than normal.

18. **Is there anyone else with first-hand information that you believe we should interview regarding this complaint?** She usually confides, me, Emma, Andrea. Three sounding boards. (flustered)

19. **Is there anything else you want to share with us today that we haven't asked you about?** Very tough subject. Things different here now. Manager who was very open and communicative to a learning process for us all. Don't want to say Chris or Constance is correct but it's different and we all have anxieties here now that didn't used to be here. Dealing with anxieties in different ways.

    Sick to my stomach right now.

Closing

In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

We are asking that you refrain from discussing the content of this meeting with other employees in order to ensure that you do not influence (nor cause the appearance of influence) the outcome of the investigation.

I am also advising you that you must be careful to avoid any appearance of retaliation against anyone who may be participating in this investigation. Any form of retaliation will not be tolerated and may result in discipline up to and including discharge.

JJ: Will this go back to Constance?

MA: Notes, no. If consequences she'll be aware.
JJ: Hung dry if how I'm treated changes, would make my days harder.
MA: Anything uncomfortable you feel we want to know about it. We need employees to feel safe and protected and power to speak up.

INVESTIGATION
INTERVIEW RECORD

DATE: 05/18/2022 **TIME (start):** 1:36 p.m. **TIME (end):** 2:17 p.m.

EMPLOYEE: Andrea Kelley (22338) **DOH:** 9/6/2005

DEPARTMENT: Clerk's Office **DIVISION:** Executive Operations

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Analyst Cavanaugh may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

Do you have any questions before we begin?

1. **What is your job classification and what department do you work in?** Criminal Diversion Program Manager, Clerk's office

2. **How long have you worked with the County?** Extra hire Sept 2005, permanent since 2005 but not clerk's office

3. **Who is your current supervisor?** Constance White

4. **Did you witness anything unusual or uncomfortable prior to the staff meeting in May? Out of ordinary?** She started that, have had two or three. No

    a. **If no – It was alleged that while Constance was standing at the front of the room prior to the meeting, she turned around to find Chris Hutton impeding her personal space and standing very close to her. She said that she said, "good morning," and that he just smirked at her without moving or saying anything in response. She turned away from him and began talking with _____, and when**

she turned back around several seconds later, he was still standing directly next to her. Did you witness? Recall who she was standing next too. Don't have a staff room, open with ping pong table – everyone lines walls and depending on whether you come in, cram in there. I was by shelf between big circle, other side of shelf. People are shoulder to shoulder in that space. Person was next to her was close.

b. **Who was that?** Chris Hutton.
c. **Didn't stick in your brain?** No. Proximity did not stick out to me.

5. **How long have you worked with Chris?** Since I came to Clerk's office, June 2015.

6. **Have you noticed anything or change in behavior before Emma got hired?** Yes.

7. **Anything that sticks out/important changes?** I also was interviewing for Clerk position that Constance awarded, prior to knowing Constance at all, Chris and I both applied after Kevin retired. It breaks my heart because he has always dreamed of being the clerk and to watch him recognize that that wasn't going to happen, I felt sad for him. Believe he's tried to do some work around that, but it's been hard. I think he's been here 20 years.

8. **Has Chris ever shared anything about his feelings about not getting the Clerk or Deputy Clerk position?** He participated in phone screening, didn't move forward. Know he was disappointed; didn't understand why he wasn't granted interview. Chief Deputy – he told me that he told Emma that he would support her in her position.

9. **Inappropriate behavior to Constance being hired? Slammed door/sequestered in office?** I'm across hall, have heard reports of door but did not witness or have any part of that. May have occurred on a day when I wasn't here. Aware after the fact. Would say he has spent more time in his office.

10. **Since Constance got position?** Before Constance got here. I think back when he didn't get a call for interview. Obviously, this is about Chris. I am being truthful but… maybe I'll have questions at the end. Worry about repercussions. A lot has changed in last few months, and I worry about… I can only be truthful, but I worry about retaliation from multiple sides on this. Depending on someone's opinion if I said too much or didn't corroborate with complaint.

11. **Understand. Difficult position.** You're asking about a boss that has told me that she makes a great friend and great enemy.

12. **We talk about retaliation in closing because people are often afraid of retaliation. We take it very seriously and it's basically a zero-tolerance policy. If you feel retaliation or being treated differently, we want to know right away. If you don't feel comfortable going to chain of command, give me or Alyssa a call or someone you feel comfortable talking to. Disciplinary action up to and including discharge. Want you to feel safe and comfortable in investigations, how we get unwanted behavior to stop.**

13. **What has Constance said?** She recounted story to me and someone else that in her prior employment, she was recounting story where a judge asked her to do something inappropriate

and she called that judge into her office and told him "I make a great friend, but I make an amazing enemy." Said to me within first couple months of being here and has set tone for my comfort level with her. This is really, really complicated. Feel like on one hand she vents and she's here and she's overwhelmed, brand new setting, has told me and gotten emotional. Whether she trusts me or not I don't know. (very flustered)

14. **Has Constance specifically confided in you about interactions with Chris? In her office where she felt something was off?** She talked to me about the MOE and heard about that – whether or not something was off, or he wasn't getting it, he had made wrong decision and owning that, and what caused MOE. I would say it's off that he didn't make the connection of making a wrong choice and accept responsibility. She told me she had, not sure if you Melissa or someone else, offered to be there and she said no. Guess that would be "off" part, having to sit with MOE and not able to acknowledge you made wrong choice.

15. **Did she say she' uncomfortable or unsafe?** Not unsafe, first conversation was uncomfortable because he said, can't direct quote, but first conversation with him he said "you're in job I should've been in" "promised to me" or something like that.

16. **Why do you feel uncomfortable talking about Constance? Something in particular?** When I got here, been in acting position last three years, not intended to be 3 years, Carol Mitchell who developed this and # of things with her. Put into acting then Covid, intent was to make this job permanent. When made permanent, into budget just this January, Constance came on in December, and I was promoted. Was great/no problems, she said that it would've been offensive for me to not get position I've been acting in and wrote the description for. Things were fine. And then she went to the jail with one of my staff to learn more about the program and came back from that indicating that my staff member is racist and treated people differently in the jail. Since that happened, initially not supportive of hiring who I wanted, had to do another round of interviews. In those conversations she told me that if I hired the person I wanted, her biggest fear was that in a year she'd be telling me I made a mistake and wonder why I was hired. After second round, she said "I was on the fence, but I'll support you hiring the person you want." Didn't seem like she was on the fence. Also said "but if you don't step it up in next six months, we'll have different conversation." "You" was me and my employee. I'm heartbroken for her. Feel like she's come into position the exec office didn't know much about. Workload, TX to WA, RCWs, and she has said that she's done it all her life. That she's underestimated because she's black. Another conversation where she was emotional, and I feel like I'm betraying her now. If I'm trying to build trust with her, this is going to be a betrayal for me to say these things.

    When we're conducting an investigation, not something we then turn over. Looking into complaints of potential misconduct. Our job to determine if substantiated or not. Do not turn over notes of employee comments. Especially if unsubstantiated. Know we're in public sector, this is not something I think you need to feel she'll be reading. It doesn't help, I get it.

    My fear of retaliation is real.

Just discussed retaliation in supervisor essentials. Whether subject or witness, when talking about boss, your feelings completely valid. Things can't change if we're not aware. Want to make sure you're comfortable at work every day, Constance, Chris, Emma. Sometimes uncomfortable things to get there. Sorry you have to go through this.

17. **Have you ever witnessed or experienced any behavior by Chris that made you feel uncomfortable or unsafe?** Not unsafe. Uncomfortable – he can be, he wants so badly to be a good manager, views himself as a good manager but that doesn't translate. Says he's open to feedback, new ideas, and yet when someone – not Constance, would do to Kevin too, he'd say "that's not going to work" but not his call. When we went to present on Tier 2 – Socrata/Open PC – had to present to execs. Dan Grimm, Bruce, Chris, Brian, Gary. Big guns. Kevin was, this was before and during covid, but previous to, Kevin was on the way out the door so we were presenting. Shifting to virtual and Bruce said something about "have you looked at setting up YouTube videos? Chris said, "that won't work". Could've said a bit differently, we were like "whoa." Unfortunately, there's a disconnect between how he perceives himself and how he comes across.

18. **Emotional intelligence?** Yes. Bit of juxtaposition. Wants to be mindful and talks about introspective, moments of clarity but he did the wrong thing. Sending someone irate up to seventh floor without calling. Criminal investigation on Don Anderson because law enforcement was contacted. Knowing all that, his questions about MOE are strange.

19. **Is there anyone else with first-hand information that you believe we should interview regarding this complaint? Constance has confided in, negative interaction with Constance?** On Chris, Emma, and JJ. There's staff here who experienced "I have an idea" and "not going to work." People he supervises. If a situation in regard to where he was standing on that date, I talked to him about that to see how he was doing, now he's struggling. I asked him how he's doing, he said "I have never been so embarrassed in my entire life." Constance's staff meetings 15 minutes, establishing as check-in first Tuesdays, tells us things are changing, can bring ideas but not problems without solution. Last staff meeting that "I had open door policy but too many things going on. Somebody came in and vented, missed a meeting and not that I regretted, but schedule appointment." Changes are coming and rapidly. "Wanted to have this meeting to announce promotions." Andrew, my hire, Andrew pre-trial services prog manager. "Goes for everybody, all promoted positions, but hard work starts now." Aggressive. Should just be excited about promotions. All she said about Andrew. Grace into other position, "not sure what Grace will be doing but excited" blah blah blah. Then Emma – "chief deputy and would ask that you give Emma you give grace and patience that you've given me as I've learned role." Crux of meeting and I walked away like "congrats to other two but okay" (not Andrew). When talking to Chris, he said "I had no idea she was going to announce that – I was standing next to her and so embarrassed. Couldn't lift my head and look at people I've worked with for decades. Never so embarrassed in my life. Would not have been standing there if I knew that announcement." Not sure where Emma was but not right next to her. He did say that he believed she had her mind made up prior to interviews because of how she answered – he asked a question at end of interview and said, "why wouldn't you hire me/not a fit?" He had told me prior that he had never heard that question, LA question was asked on interview he was in and he thought it was great. He told me Constance said, "you got interview, everyone

with interview is qualified, if not offered there was a better candidate." But he told me that what she said after-the-fact was that he blew her away in interview/did a great job. His recount, that she wished he "would've been that person since day 1." He said it seemed like "we all didn't walk in with even playing field. Made it seem like he wasn't a candidate or possibility for that position." Only other thing he told me was she made it clear that TJ really liked him and was blown away by him, and if he wanted to work for JC she would facilitate that. His recount.

20. **Is there anything else you want to share with us today that we haven't asked you about?** Without knowing where things can go, what happens from this, don't know.

You likely may not hear anything, don't take silence as nothing. Not necessarily true. Like you not to hear anything, means everything was confidential. Unfortunately, not a lot of closure.

AK: Is there a timeline for investigation?
MA: Try to move as quickly as possible. Wrapping up interviews next week, would like to wrap-up investigation in upcoming weeks. Sometimes lag for a bit.
AK: What goes back to Constance assuming she initiated?
MA: Any disciplinary action, for herself, Chris. For example, if LOR, she'd be cc'd. Final outcome. She'd probably also be aware of any recommended training for her or another employee. No notes.
AK: Not if substantiated or not?
MA: Correct.

Closing
In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

We are asking that you refrain from discussing the content of this meeting with other employees in order to ensure that you do not influence (nor cause the appearance of influence) the outcome of the investigation.

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INVESTIGATION
INTERVIEW RECORD

DATE: 05/18/2022 **TIME (start):** 1:30 p.m. **TIME (end):** XX:XX a.m.

EMPLOYEE: Andrea Kelley (22338) **DOH:** 09/06/2005

DEPARTMENT: Clerk's Office **DIVISION:** Executive Operations

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Analyst Cavanaugh may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

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If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative:

1. **Do you have any questions before we begin?**

2. **What is your job classification and what department do you work in?**

3. **How long have you worked with the County?**

4. **Who is your current supervisor?**

5. **How long have you known Chris?**

6. **Have you noticed any changes in Chris' behavior?**
   I also interviewed for Constance's position and Chris and I both applied. He has always dreamed of being the Clerk. It was sad. I felt sad for him.

7. Has he shared anything about hiring process?

8. **Reports of slamming door and staying in his office?**
   I am across the hall, so I have heard reports of the door slamming. I would say that he has spent more time in his office. Before Constance got here, back when he got he didn't get a second call for the interview. A lot has changed and I worry about repercussions.

9. Constance recounted a story
   Saying that in prior employment and judge asked her to do something inappropriate. She called that judge into her office and told that judge I make a great friend but I make an amazing enemy. That has set a tone. On one hand she vents and feels overwhelmed, whether she trusts me or not I don't know.

10. **Confided in you?**
    Confided in me about the MOE.

11. **I don't recall unsafe, but she has said unsafe because he said essentially said you're in the job I should have been in.**

12. **What makes you uncomfortable about Constance?**
    I was putting into this acting role for three years. When this job was permanent in January and Constance came on in December. It was great no problems, she said it would have been offensive that I not get the position I had been acting in for three years. She went to the jail with one of my staff to learn more about the program and came back indicating that that staff member is racist. Since that happened, she was initially not supportive of me hiring a manager and did another round of interviews. In those conversations, she told me that if I hired the person I wanted to hire, her biggest fear would be that in a year I would question hiring them and then why hiring Andrea. If you don't step it up in the next few months we will be having a very different conversation. I am heartbroken for her because she came into a position unprepared because of the exec's lack of understanding. She has said that she is underestimated because she is a black woman. I feel that I am betraying her. This is going to be a betrayal.

13. **Have you ever witnessed or experienced any behavior by Chris that made you feel uncomfortable or unsafe?**
    Not unsafe. He wants so badly to be a good manager and he views himself as a good manager but it doesn't translate. He says he is open to feedback, but he's not. He would do it to Kevin too. We went up to present on Tier 2, this was a year or more ago, Kevin was on his way out the door. We were presenting and Bruce asked about YouTube videos and Chris responded that won't work.

14. **Is there anyone else with firsthand information that you think we should talk to?**
    In regard to Chris, I would say Emma and JJ. I touched base with him after the staff meeting and I said I have never been so embarrassed in my entire life.

You can bring me ideas, but don't bring problems without a solution. I had an open door policy and I've missed meetings because of it. Changes are coming and they are going to start coming rapidly. She also announced promotions, and this goes for everybody, but the hard work starts now. It is just kind of aggressive. I could be hypersensitive because that was my hire, and then didn't have that same energy for Chief Deputy or other higher. Asked to give Emma the same grace and patience as you have given me. It seemed like congrats to only the other two people that got promoted. Chris had no idea she was going to announce the promotions and I couldn't even lift my head because I was so embarrassed. I would not have been standing there had I known she was making the announcement. He believed that she had her mind made up prior to the interviews because of how she answered one of his questions. He asked like why wouldn't you hire me, and Constance said well you got an interview so everyone is eligible and qualified and if you don't move on its because there was s better candidate. But he said after the fact, that she told him he blew her away in the interview and that he would have wished he had been that person since day one since he got here.

She made it clear that TJ really liked him and that if he wanted to work for Juvenile Court she would help facilitate that. That is his recount.

15. **Is there anything else you want to share with us today that we haven't asked you about?**

Closing

In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

We are asking that you refrain from discussing the content of this meeting with other employees in order to ensure that you do not influence (nor cause the appearance of influence) the outcome of the investigation.

I am also advising you that you must be careful to avoid any appearance of retaliation against anyone who may be participating in this investigation. Any form of retaliation will not be tolerated and may result in discipline up to and including discharge.

INVESTIGATION
INTERVIEW RECORD

DATE: 05/18/2022 **TIME (start):** 3:12 p.m. **TIME (end):** 3:37 p.m.

EMPLOYEE: Danielle O'Galleher (101453) **DOH:** 08/29/2016

DEPARTMENT: Clerk's Office **DIVISION:** _____

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Analyst Cavanaugh may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

1. **Do you have any questions before we begin?** No

2. **What is your job classification and what department do you work in?** Clerk's office, computer system business analyst

3. **How long have you worked with the County?** Coming up on 6 yrs

4. **Who is your current supervisor?** Emma Gaddis then Constance

5. **Did you witness anything unusual or uncomfortable prior to the staff meeting on _____?** No
    a. **If no – It was alleged that while Constance was standing at the front of the room prior to the meeting, she turned around to find Chris Hutton impeding her personal space and standing very close to her. She said that she said, "good morning," and that he just smirked at her without moving or saying anything in response. She turned away from him and began talking with _____, and when she turned back around several seconds later, he was still standing directly next to her.**

Can't recall lineup, they were all standing together.

b. **Who was next to her?** Chris Hutton

6. **Around ping pong table?** Yes, in middle, perimeter is employees. I was on one side with 4-5 of my coworkers. Across from me, all managers. Not normal – don't stand up and present. Just how it was that day. She (Constance) was a little behind him, edges out and cuts back. He was next to her. Somebody on other side of her, can't remember who. Chris, Emma, not sure who else, all on that side.
    a. **Uncomfortable close or just tight quarters?** Just tight quarters
    b. **Anything else stick out?** No. Very short meeting – not a lot to talk about. Vibe I'm getting is she wants more consistency of normal meetings, not something we had prior. She said there's not really a reason other than to get together.

7. **How long have you worked with Chris?** 6 years

8. **Behavior change since Kevin retired?** Yes. Thought he was going to get clerk position and did not. Wasn't happy about that. Wasn't a secret – he was upset not like yelling or anything, just upset. Here 20 years, thought he was going to get job, kind of was doing when Kevin was here, did a lot of what Kevin was supposed to be doing. Assumed he was going to get job and he didn't.

9. **Anything specific? Slammed door, remained in office more than typical?** Not sure about slamming door but yes, way more absent. Part of his role is front counter and help staff when short-handed. Pretty well known that he doesn't. Haven't worked under him, I used to work in judgments/accounting, separate from legal assistants. I'm kind of an outsider/watched everything happen. Not directly affected. Demeanor completely changed, upset, quite a bit of time off. Not sure if personal or just processing, don't know how much was recorded. Definitely absent. Did not love the fact that he didn't get it. He thought for last 20 years he was going to get it and didn't.

10. **Anything in particular he's been saying?** For so long he prided himself on being the one to direct office, help with things. Call ourselves moron committee, ok/we call ourselves that, couple years ago we created morale committee. We like to have fun. Most people know that. He kind of spearheaded and wanted to bring up morale, included handful from each section, newer and older employees. Birthday celebrations, coordinate things. He really spearheaded that. When this clerk stuff came about, I kicked him out because of his negative attitude. Was making comments like "don't know what we're gonna get to do with new clerk" and other comments that weren't necessary. New boss (Constance), weren't expecting outside person but that's what happened. Not sure how to say but he was trying to get us on board with not wanting her to be here. Never explicitly said but very negative, "have to check with new clerk, I have no say anymore." Calm down, we never had a lot of say anyway.

11. **Was there a conversation you had kicking him out of committee?** We had a meeting and we were all sitting in back and section that he oversees handful of people in there, everybody was on egg shells, not sure who said he slammed door but he was cranky and upset. In meeting, he kept making little comments and I said "you can leave the group, we will find another

supervisor that will oversee us." Told him he was done being on committee and we'd have a new supervisor take over. No reaction. I use humor in a lot of the way I say things so laughed it off, people couldn't believe I said that. Get he's frustrated.

12. **Chris still cranky?** Been a rollercoaster, don't really know. Would say yes, for a while it was he didn't get clerk, then deputy clerk opened and he turned charm back on, back at front counter, who can I help, disgustingly over the top and I said that "what's your angle here/what's with 180/why'd you flip." Was completely on other spectrum. He said "just trying to do what I can to help you guys" and I thought whatever ugh. Another downward spiral then back up, kind of all over the place with his emotions.

13. **Has Chris ever shared anything about his feelings about not getting the Clerk or Deputy Clerk position?** Yes

14. **Have you ever witnessed or experienced any behavior by Chris that made you feel uncomfortable or unsafe?** Do not feel anything like that. Never have. Constance told me about her situation.
    a. **What happened?**
    b. **Where were you?**
    c. **When, what time?**
    d. **How long did it last?**
    e. **What was his tone and demeanor?**
    f. **Why did you feel uncomfortable/unsafe?**
    g. **Was anyone else present?**
    h. **What were their reactions?**
    i. **Did you speak with anyone about what you witnessed?**
        i. **Who?**
        ii. **When?**
        iii. **Please describe the discussion.**

15. **Has Constance come to you?** Can't tell you, I wasn't there, but she told me, assume that's why we're here today, she asked me why I'm not in charge of security. Had her rephrase, wasn't sure what it meant, and she said I want to know why you're not handling access/badges and access to building. I told her I don't know, never under us, him and Tyler up at front as far as I've known for our office. Could tell she was uneasy. Asked her if she was okay, she's new, been here 6 months but told her if she's want to talk about it she can. Then she told me what happened; she was in corner and she felt trapped and stuck and wasn't sure what his reaction was going to be when she informed him he wasn't going to get clerk position. Position I'm in handles a lot of security and access and court documents, who sees what and what happens with them. Think her take was if I already have security level why aren't us two not the ones handling all the security access. I told her I don't know.

16. **When Constance was describing what was her demeanor? Crying?** She definitely cried. She's been upset by it. I asked if she feels concerned here, don't want her to feel that way. She said she wasn't sure. Started crying. Told me it got to point where she woke up in middle of

night crying and her husband pulled her in, not sure if she was having nightmare, very visually upset. Told her I'm sorry.

17. **Did it appear genuine?** Yes. Put myself in her shoes, at a county I don't know, don't know anybody, and I have this employee who is upset. He thinks I took his job and now feel like I took another job away from him. I would be very worried myself, I think. She did say that he made a few comments "you took this job from me" and she didn't know how to react. "I think we're done here" is how I think it ended. I wasn't there so I don't know/secondhand.

18. **Other instances where she or others have come to you after an experience with Chris?** Wish I had better examples. He's just moody. Am I scared of him? No, I'm personally not. I think RC7 and this has totally rocked his world. Thought he was going to get this job for 20 years. My frustration is you're not promised anything. When I came in as extra hire, not guaranteed anything. I look at it like he wasn't guaranteed the job. It's frustrating. He's good at his job. Sad we're even having this conversation, he's very knowledgeable. Kind of a dick sometimes and cranky. He was entitled to being frustrated, took time off, came back, think we thought it was going to be better but he can't really shake it and frustration. Where that leads, I don't know.

19. **Moodiness always?** Yes, first week I started he used to print, walked right past me and wouldn't say good morning. Kind of a pompous asshole sometimes. Think people maybe are focusing on it more. I don't know. I have not personally had to work under him. Have seen other people that have and they have frustrations. The way he talks to people and approaches situations with people. Don't think they're fearful for their life or dangerous, just more managing 101 style/how you talk to people sometimes.

20. **Is there anyone else with first-hand information that you believe we should interview regarding this complaint?** Emma, 1-2 front counter people if questioning who he is as employee. Tyler Wherry, Kelley Sather, people that report directly to him. Chris and Tyler have had a couple back-and-forths. Nothing crazy just work related where they disagree on things. Tyler pretty boisterous. Front counter meeting and they came back, again hearsay/wasn't there, but something in meeting was said and Tyler said "it'd be nice if we had a manager here because we're struggling" and he (Chris) didn't love that comment. Not sure how it went but Tyler will tell it like it is. Most people in our office are pretty go with flow and aren't going to say a whole lot. I just think he's frustrated where he's at. Not worried about safety or hers (Constance) but I could be wrong. In his mind, she's taken everything from him so what that does to a person I don't know. Kids, family, thought you were going to get something for so long and didn't happen. Or the next one (deputy).

21. **Is there anything else you want to share with us today that we haven't asked you about?** No.

Closing

In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

We are asking that you refrain from discussing the content of this meeting with other employees in order to ensure that you do not influence (nor cause the appearance of influence) the outcome of the investigation.

I am also advising you that you must be careful to avoid any appearance of retaliation against anyone who may be participating in this investigation. Any form of retaliation will not be tolerated and may result in discipline up to and including discharge.

INVESTIGATION
INTERVIEW RECORD

DATE: 05/18/2022 **TIME (start):** 3:00 p.m. **TIME (end):** XX:XX a.m.

EMPLOYEE: Danielle O'Galleher **DOH:** _____

DEPARTMENT: Clerk's Office **DIVISION:** _____

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Analyst Cavanaugh may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative:

1. **Do you have any questions before we begin?**

2. **What is your job classification and what department do you work in?**

3. **How long have you worked with the County?**

4. **Who is your current supervisor?**

5. **How has his behavior changed?**
   He wasn't super happy about that. He was upset. Not yelled at anyone, but upset because he has been here for 20 years. I don't know about slamming the door, but he definitely has been way more absent. His role is being at the counter, and it is pretty well known that he doesn't. His demeanor completely changed. He did take quite a bit of time off. He prided himself on directing the office. We have this thing called the MORON committee for morale because we

like to have fun. We do birthday celebrations and he really spearheaded that. His negative attitude was too much that I kicked him out. Unnecessary comments about we don't know what the new clerk will let us do. We had a meeting and the section he oversees was walking on eggshells. He was cranky. In the meeting he just kept making little comments so I told him he could leave the group. I told him we would find a new supervisor to replace him.

6. **Is he still cranky?**
   He is still cranky. Its like a roller coaster. You just don't really know. He was disgustingly over the top prior to the deputy clerk position. Asked him why he did a 180 and he said he was just doing whatever he could to help you guys. He has kind of been all over the place with his emotions.

7. **Interaction with Constance.**
   I can tell you what she told me. She approached me and asked me why I wasn't in charge of security. Well I want to know why you aren't handling access and badges. I said I don't know. It has never been under us. It has been under Chris and Tyler. I could tell she was kind of uneasy. I asked if she was okay and wanted to talk about anything. She said there was an incident with an employee and said she was in the corner of her office and she felt trapped and stuck and was unsure of what his reaction would be when I told him he wouldn't get the deputy clerk position. I think her take on that security level, was that why are you two not the ones not handling security access. She cried, she said she's been upset, she said I am not sure and started crying and that it got to the point when she woke up in the middle of the night crying. She was visibly upset. She was genuinely upset and shaken. To put myself in her shoes, and I have this employee who is upset I took his job and now feels I took this other job away from him, I would be worried to. He said to her "you took this form me, you took this job from me."

8. **Any other reported interactions?**
   He's just moody. I personally am not scared of him. I think he has some mental health issues, and this has totally rocked his world. My frustration is that you're not promised anything. I've also known him to kind of be a dick sometimes. He can just kind of be a pompous asshole and I think maybe people are focusing on it more. People who work under him do have frustrations in the way he talks to people and manages people. Just management 101 stuff.

9. **Is there anything else you want to share with us today that we haven't asked you about?**

Closing

In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

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INVESTIGATION
INTERVIEW RECORD

DATE: 05/19/2022 **TIME (start):** 8:04 a.m. **TIME (end):** 8:12 a.m.

EMPLOYEE: Whitney Long (100397) **DOH:** 7/14/2014

DEPARTMENT: Clerk's Office **DIVISION:** Legal

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a potential witness in this investigation. I will be posing most of the questions today, but Analyst Cavanaugh may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

1. **Do you have any questions before we begin?** No

2. **What is your job classification and what department do you work in?** Legal Assist 3 – lead for W.State Involuntary Commitment division. Clerk's office

3. **Who is your current supervisor?** Melissa Engler my direct manager. She reports to Constance or maybe Chief Deputy/Emma

4. **How long have you worked with the County?** Including extra-hire, almost 8 yrs (July)

5. **Did you witness anything unusual, strange, or uncomfortable prior to the staff meeting on _____?** First Tuesdays, I attended. No.
    a. **If no – It was alleged that while Constance was standing at the front of the room prior to the meeting, she turned around to find Chris Hutton impeding her personal space and standing very close to her. She said that she said, "good morning," and that he just smirked at her without moving or saying anything in response. She turned away from him and began talking with _____, and when**

she turned back around several seconds later, he was still standing directly next to her.
Don't recall. Do recall managers standing at front with her but nothing weird, all three of them were up there. All lined up against a wall bvy eachother anyway. Close quarters. All three of managers were by here, including Emma, Mel, Chris. In a row. I was sitting very close but nothing out of the ordinary, close proximity back there.

6. **Did you know Chris Hutton/how long?** Yes, whole tenure

7. **Behavior change with Chris since Kevin retired/deputy clerk?** Can't answer that, not in office. Moved us over to 945 building. Moved out to western 4-5 years ago so out of that office for about 4 years.

8. **Don't interact with Chris?** See in passing and say "hello." No problems. Talk with him about his daughter's track meets and stuff.

9. **Has anyone shared about interactions w/Chris that are uncomfortable?** Maybe years ago but wouldn't call them reputable. People do things they're not supposed to and get called out, wouldn't choose a side on that.

10. **Nothing recent? Last 6-8 mos?** No. Not over there to hear anything. Hardly interact.

Closing

In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

We are asking that you refrain from discussing the content of this meeting with other employees in order to ensure that you do not influence (nor cause the appearance of influence) the outcome of the investigation.

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11:04am
Follow-up meeting initiated by Andrea Kelley

AK: Couple things I want to be clear on, timing wise (shows illustration of meeting room). JJ and I were a distance from Constance. If I'm listed as witness, unless you're interviewing everyone else around (closer), why am I being asked to corroborate. Makes me nervous about what I'm expected to say.

MA: You were named broadly re: Chris behavior. Allegations made and you were at meeting/why interviewed. Understand mindset.

AK: When I got to meeting, two of them (Constance/Chris) were already standing there. Don't know who stepped closer to whom. Could've happened before I got there. Also, know I said Chris isolating. You're (Chris) a supervisor/manager/support people, can't be doing that. He and I have had that conversation. He was doing that before she (Constance) got here, then after he didn't get interview started doing that. Direct reports said something to him about it. After MOE, started coming out again and now back to office.

MA: Deputy clerk

AK: Right. Yes, he's doing it and inappropriate as manager. Get he's sad, maybe a little lost, not where he thought things were going to go. Still a job to do and need to be able to do it. My opinion that it has more to do with him than with Emma or Constance. I'm across the hall. A lot happens that I don't see. Of course, I hear about. Completely separate duties. Questions on how he's operating as manager. If concern is that he's targeting someone, I personally don't subscribe to that.

AK: Some people shoulder to shoulder/leaning on each other (in room)

End 11:12am

INVESTIGATION
INTERVIEW RECORD

DATE: 05/25/2022 **TIME (start):** 10:00 a.m. **TIME (end):** 10:47 a.m.

EMPLOYEE: Chris Hutton (18504) **DOH:** 04/02/2001

DEPARTMENT: Clerk's Office **DIVISION:** Legal

My name is Melissa Arnold, and I am a Senior Labor Relations Analyst in Human Resources. I, along with Labor Relations Analyst Alyssa Cavanaugh, am investigating a complaint of allegations of misconduct on behalf of the Clerk's Office. You are being interviewed as a subject in this investigation. I will be posing most of the questions today, but Alyssa may have additional questions for you. Given the current situation with COVID and remote work, we appreciate your flexibility regarding how we connect. We have not reached any conclusions as to whether the allegations are substantiated; that is the purpose of this interview and investigation.

To make a determination, it is important that we have accurate information. Therefore, it is my responsibility to advise you that you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, talk to your representative (if applicable), or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

1. **Do you have any questions before we begin?** No

2. **What is your job classification and what department do you work in?** Legal processing supervisor, clerk's office

3. **How long have you worked with the County?** 21 years

4. **Who is your current supervisor?** Emma Gadis then Constance

5. **What is your work schedule, including shift and days off? Location?** 730-430 mon-fri, in office

6. **Do you know why we are interviewing you today?** I don't

7. **Looking into allegations of misconduct. Couple months ago, hiring for clerk's position/Constance. Reported that after you didn't move forward, sequestering self in office. Speak to that?** Prior to even that, not advancing, there was some time when Kevin announced he was retiring, some separation on my part from outward office facing type stuff. Struggled with him leaving, not understanding my role. Started beforehand. Constance came in, still didn't understand roles, didn't want to step on toes. A lot of removal from office facing duties on my part. A lot of time disengaged. Constance and I worked through that. Yes. A lot of that after I didn't advance in the process. Wasn't due to that reason.

8. **Been reported you may have slammed the door, do you remember?** One instance where that happened. Wasn't my intent. After our meeting. Went into office, closed door as walking through, needed time for myself. Not my intent to slam, did slam when I shut it. Should've turned and closed. After time with our meeting. Can see how it would look like that.

9. **Recent staff meeting, couple weeks ago, received a reports – understand you meet around ping pong table?** Break area in back with gathering space, biggest space we have, table in middle. Good space for meetings.

10. **Anything stand out that you did that could be perceived a certain way?** I don't think so. I was very uncomfortable in that meeting, to be honest. At that meeting Constance announced to office/in front of everyone that Emma promoted. Wasn't a secret that I was trying to get that position. Way that we gathered in the back, I happened to be standing next to Constance. Very uncomfortable situation for me. Tried to be intentional on not making eye contact with anyone. Didn't want to come off upset with her/anybody. Uncomfortable. Just tried to get through it. Didn't do anything outside of the norm/connecting with people, nothing directly to cause alarm.

11. **Reported you were standing next to Constance, she turned towards you, and you were staring intently while very closely to her.** Don't recall that. Way we gathered, I was right next to her. When we break to go back to work, go in those directions, imagine as I turned I would've been right there. I don't have a memory of staring intently at her or anything like that. No feelings like that. Could see that situation, again, turning to leave, where I was standing with her I would've been right there.

12. **Conversation Constance had with you, about Emma getting position?** She talked to Melissa and I, internal candidates, before she sent email to staff. The Friday she got back in April. Respected individual conversations. Talked to us face-to face which was right thing to do. Felt good about it. Announced she was going in another direction. MOE in January, was hard for me. I felt qualified, hard to imagine I could jump from MOE and potential disciplinary action to be number 2 command in the office. Even though I didn't think about that going into the interview, felt qualified for position, conversations with her indicated open recruitment process would be what it is. To hear it officially was a little emotional. Felt like I respected what she said, she told me we're going in another direction, I asked who, she told me announcement soon/did not indicate. That I have a lot of value. Asked her what my role would look like. She said she would have to answer with a question – "what do you want it to look like?" I told her to be honest I worked here for 21 years to try and build this place so I don't

know. I don't know what this is supposed to be. I may have been emotional at that time. I told her I spent a lot of time in the office in different areas. For history, I was in the office Emma's in now and they were painting, I had to move so was in transition. Spent a lot of time in office on Thursday and looking around and reflecting. Fact that I had a hand in building all of this, the whole office, a lot are my ideas. To look at those things and feel like that was being taken away was really emotional for me. I opened up to her about that so she could understand. Understood where she was coming from, want to be part of things, don't want to undermine her. That was part of MOE. Not anything I'm trying to do. We have different personalities, I'm a lot more reserved. I struggle with uncertainty and no real direction. Explained that to her. Felt the conversation was ok. She said she'd seen a different side of me in interview not seen before, that I bought my A-game. Thought I showed that in interview, felt validated. She indicated that TJ was very impressed. She said "I value you, a lot to offer here." She closed with "If you ever feel like you want to move in different direction I can help you do that." Felt like she may have wanted me to leave, opened door for me to do that. Not where I was but felt comfortable with that. If something I decided to do, she would support. Not hard for that to happen.

13. **You said you got emotional. Describe what that looked like?** I did get teary eyed. Don't remember being upset. Going into conversation, I had already worked to place where I understood not me, expressed that to her. Wasn't surprised by announcement. Sad, different, hard, what I worked for. Dream of mine to be number 2 thinking Kevin would be here for extended period of time. Didn't get that before he left. Clerk position - wasn't ready to go there anyway. Was fine. Had worked and was ready to be chief deputy. Wasn't angry with her. I understand. Something I didn't have she was looking for. Doesn't have trust in me. She may feel like she can't believe things I tell her that I'm going to work to support her. MOE, follow-up to that, even after I congratulated Emma. Told her won't make it hard for her. Decision made/moving forward.

14. **Conversation with Constance. Body language, described you were leaning forward on table, slightly elevated. Were you leaning across?** Don't remember that. Know when I get into more emotional state I close off. Tendency to put my arms between legs, doing it now but you can't see. Feels comforting to me in times of emotion, holding back tears. Can see maybe enunciating words but working really hard not to show I'm angry or upset. Was just officially told my dream not going to happen and I have a tendency to come off certain way to people. Already rocky relationship. Don't want to upset her/that to be case/not support her. Could see focusing on words better, didn't perceive things certain way. Obviously not successfully.

15. **Reported that you said "You need to tell me where my place is here, what do I do now?"** I asked her what she sees as my role in this office, as question. Didn't direct her – she's the boss, can't direct her. Did not say you need to do anything. Have learned people don't tell her "you need to do this." Not her personality. As leader she doesn't put up with that. Respect that, so I posted as question. Follow-up "what do you see" and I indicted this is what I thought it was so not really sure yet.

16. **Ever bristled or difference w/someone before? Didn't get along?** Yeah, prior chief deputy Dan Landenburg. Didn't see eye-to-eye on how things should be taken care of. Very hands off, go with flow, not involved. When I became supervisor, identified a lot of things to clean up before that role, came in a little too hot and heavy at times changing things. He would go behind my back and undo, tell me to slow down. Felt like we worked through it, leadership styles different, no issues with Kevin. He trusted me to take care of business. Nothing more than I'm a worker who wants the best for public and staff, Landenburg was not that at all. He was just here for paycheck.

17. **Could some of the interactions with Constance be differences in personality? Bristle/rub?** Hard to say. Hearing these things, we have different view on how that went down. To be honest I'm disappointed she feels like that about me, those interactions were like that. Do understand how I can be perceived, get quiet, shut down, seems like I'm an ass. Sometimes just don't understand, try to figure out, worked with her at beginning. Disappointed she feels like that because of what I was doing to paint picture of myself to her. Explained to her. Hearing this, we have deep misunderstanding of who each other are. Not necessarily bad or wrong, just wish she could see that I support her, not working to undermine her. Don't know how to do that. Tad frustrated we're having this conversation. Feel like her and I can have it. Why would she want to do that if she feels like I'm being aggressive? Understand. Don't really know what to do.

18. **Is there anyone else you think we should talk to who may have firsthand information about what we have discussed today?** Feels like… I don't know. Hard for me. Don't want to get other people involved. Does it feel like I'm trying to get somebody on my side, don't want that, either. Don't want Constance to feel like I'm teaming with someone to make myself look better. Hesitate to do anything like that. No, don't have anybody. Feel like just you guys to hear from me. Truly disappointed this is how it's rolling out. Disappointed in MOE, as well. Conversation I had with her, scheduled follow-ups, asked for time so she could see who I was as employee. In follow-up conversations, felt those went okay, but I was disappointed it got to MOE without a conversation beforehand. Misunderstanding in MOE could've been conversation. Feel like kind of in same boat. Also, hearing these things, conversation won't help because she's not believing what I'm saying. Need to work to make sure she doesn't feel like that. Don't want to add to her stresses. Didn't have any support, just want to support her. Tried to express to her and show in actions. Tried really hard to do that. Unfortunate that we're here again.

19. **Do you have any additional information that you want to share with us today?** Struggling to figure out the misconduct part of this. I'm undermining authority? Opportunity to review complaint? Don't understand what this is exactly and potential.

MA: Isolating in office, slamming door, staff meeting, conversation w/Constance about chief deputy.

Closing

In closing, if you think of anything else that I did not ask about today that you feel would be relevant to this investigation, please contact me as soon as possible.

We are asking that you refrain from discussing the content of this meeting with other employees in order to ensure that you do not influence (nor cause the appearance of influence) the outcome of the investigation.

I am also advising you that you must be careful to avoid any appearance of retaliation against anyone who may be participating in this investigation. Any form of retaliation will not be tolerated and may result in discipline up to and including discharge.

6/10/2022 8:00am
Chris Hutton (requested follow-up), Melissa Arnold, Alyssa Cavanaugh

CH: Thanks for meeting today. Want to understand status, follow-up things to cover. Go from there.

MA: Active investigation. Know top concern. Takes time to gather relevant info. Would like wrapped up in next few weeks. Can't speak to end result. Active investigation.

CH: Do we know/ok for me to ask purpose of investigation? Indicate what trying to do here? Are we working on trying to get rid of me?

MA: Can't answer specifics/discipline/what looks like. Get rid of you? Career service employee – progressive discipline, speaking generally. What progressive discipline looks like can vary by EE. Typically MOE which is monodisciplinary. Many different discipline options can follow. LOR, suspensions, discharge. Doesn't mean steps can't be skipped, fact specific. Trying to get rid of you, can't speak to, Purpose to investigate allegations of misconduct by you. Wish I could be more forthcoming.

CH: Did ask Constance same direct q. Experience with MOE and termination process and counseled with you guys about how those tools are used to achieve end goal. When asked her, she said wasn't case. I worry now I need to provide more info. Feel fear for career. Reflection after fact/last meeting. General feel of how I am in office, not great. Not comfortable at all thru day. Feel like walking on eggshells. A lot of uncertainty. Don't feel those I should be able to go to/get clarity/ease can do that with. Those the people making these accusations. Don't understand what I'm supposed to do and resources available.

MA: Fully understand, human element. What you should be doing, go about job as if has not happened. Understand asking a lot, not always easy. Conduct yourself as you typically would. Perform all job functions usually doing. Just proceed as normal to best of ability. Resources – understand tough/support system not available, reach out to EAP. Never know what available to you. Not new situation EAP involved in, sure some resources and additional support. Isn't new to them/they specialize.

CH: Makes sense. Thank you. Don't know, struggling going about business as if not happening. Felt like that's where I was/what I was doing. Even in follow ups to MOE, had to have those after training, also continued/requested follow-ups after to meet with her every couple weeks to review/see changes she wanted and if I was performing expectations. She said yes and we had moved on. Where I had been working from/where I was. Hit with this, feel like that isn't case. Feel like performing duties even though don't fully understand. Told duties changing, don't know who I'm overseeing. General "things are changing, this is what I envision." Even indicated job descriptions updated but haven't seen. She had mentioned that happening, waiting to sign off. Feels like expectations but we don't understand what those are. Me and Melissa, we're being leaned on to do operations on this side. Should focus on me though, understand that. Hard to understand what I'm supposed to be doing without making it worse/doing something unintentionally where this is justified or something. During investigation, talking with other staff members? Know I didn't refer anyone, still stand on that/won't single out. Don't want retaliation to them or them uncomfortable. Do you choose on own for bigger picture?

MA: Receive allegations. if Joe shoved Alice, part of question "Is there witnesses." If there are, we talk to them. If not, only 2 involved. Certainly a possibility that we talk to others who may've been witness to alleged conduct. Can't answer yes or who if we were, but that's how we decide. Witnesses who may have supporting info to support allegation or disprove.

CH: Makes sense. Do you review prior, specific to my situation, reviews on file – fact that Constance here 6-7 mos., able to see full picture?

MA: Yes. Look at everything to make decision moving forward. Access to full personnel files, past discipline, trainings, reviews. Able to look holistically.

CH: Do I need to formally respond to MOE? Told I didn't need but now hesitant to believe that's case. Made clear not disciplinary, not sure I believe.

MA: Not discipline, has sentence that if behavior outlined continues can be used but isn't itself. Responding up to you. If further action taken, you have right of opportunity if you think shouldn't be imposed. Notice of Intent of suspension, your side of story/supporting info. All taken into consideration before formal discipline. Different for MOE/not discipline.

CH: Do I need to explain further context of those meetings that she was indicating she had issues with? Biggest for me, regarding position, where she indicated I was upset/aggressive/hands on desk/etc. Feel like after reflecting, some things I would share.

MA: Here to listen

CH: Struggle, don't remember where I was angry or aggressive. Talked about my body language/what she saw. Explained where I was, struggling, why would I feel need to be aggressive or tell her what she needs to do when she said she could tell in interview I brought A game? Side she wish she saw before, panel impressed, value to office, those types of things don't line up with reason why I'd be aggressive. Left that meeting feeling ok. Didn't have direction, didn't get job working towards for career, but felt ok. Felt like I presented myself well in interview, all I could do. Going to sell myself, make sure I'm best person for job and if different direction, how it is. All we can do. She had seen different side, felt like I did well. Don't feel like a point where I would've felt I needed to be like that. Struggling w/most. She feels that was case, talking about feelings more difficult. Seeing things differently. Hard when told positive things, think doing right stuff, come back to meetings with you/investigating allegations. Had follow-up meetings, requested, she indicated I was doing everything right way/no issues. Had worked thru. 90-min on second follow-up. Went into direction of office and how she thinks I would do with those, don't have issues. Glad she put MOE in place to shake me/wake up/get moving. Not consistent with what sounds like she's saying to you. Hard to understand. Think important for you to hear. Part of me hopes you do speak with staff, confident they would give different picture of who I am as leader. She hasn't seen me in leadership position, starting to get feeling like she's ready to move in different direction from me. A lot of me feels like I just want to help her with that. What are my options for moving in different direction in career? Transfer? Looked at other opportunities to be honest. Hesitate to apply, don't know what will be said if I do that. Hanging in air. Made tough.

MA: Understand. Other opportunities within county certainly option if you feel in best interest of you/career as whole. Transfer isn't necessarily option, open competitive process. If positions you look for within county of interest, you mentioned JC, reach out to TJ. Also recruitment – they can help, EAP as well, recruitment specifically to county, your resume. Role long time, they can help. Options available if you feel not working out. Understand comes w/different dept, reference checks, can't really speak to. Depends who you're putting down as reference. Co-workers, Kevin, don't know. Understand. Even if unsure still reach out to recruitment, can help w/interview qs, resume. Would still explore. May find something. Great thing about being county EE, can move around, provided resources to do so.

CH: What are my rights/could I expect if somebody reaches out to her about my employment? Fear I have now. If I look into something else, obviously have to indicate reference. If refuse, red flag. If yes, she knows I'm looking. Worry about her saying things that are like these allegations, undermine my career/what I'm about. Maybe don't get opportunities, still here, what does that look like.

MA: All comes down to who you list as reference. A bit out of my wheelhouse, when people call reference check/HR – all they say are dates, position. Not actual background check. Different if talking about internal – going to HS or something, will know you reported to Constance/workday. Conversation we can have with Constance or you, if you decide to change jobs, what reference check would look like so not blindsided during hiring process. Can talk further if interest.

CH: For sure not comfortable having individual conversation w/her. Especially hearing these things. She sees things one way, I another way, not going to put self in position to make worse for anyone. Can't do that. Even meetings, two manager mtgs w/Melissa and Emma, not comfortable there at all. Don't feel like I can share, have to watch what I'm saying, how I'm being, feel like I pay attention to my body language so not the wrong way, can't disagree without seeming like undermining or pushing back, don't feel part of team. Trying to get through. Won't be having individual conversation w/her. Honestly, vibe I'm getting she doesn't want to either. No check in, no individual time, avoidance, awkwardness with us. Retaliation?

MA: Tell us right away. Mentioned in interview, county takes seriously/want to know. Email, teams, alert me and we can chat.

CH: Couple things didn't feel right. Last week, assigned lunch time for first time in 18 yrs. May not seem like biggest thing, may not be but didn't feel ok. Why? Have always taken lunch in middle of things and could cover if needed. Adjusted accordingly, now told have to take at specific time. I don't have issues but makes tougher for coverage, an expectation of me. Don't feel like I can do, will come back on me later when I'm not covering. Worried. Other piece – put time off request in last week for end of month, hasn't been approved. Not big deal, but another staff member told me Emma questioning time off, worried about coverage. Don't understand why didn't come to me, why conversation w/somebody else, another manager. Not outside of confidentiality but if questions, come to me. Still hasn't been asked of me. Don't feel comfortable asking about it – heard you were asking about my vacation/what do you need to know. Don't want to press/undermine. Things like that bring to you?

MA: Yes. Also suggest looking through AGS on retaliation, specific examples/job actions, denying vacation tricky but runs along same lines. If doesn't seem right, better safe than sorry. Certainly fine for us to talk. Believe chapter 3.48 but could be wrong.

CH: Will take look. Think that's it. Appreciate your time.

MA: Appreciate.

End 8:28

Clerk's Office Investigation Analysis

Complainant

- Constance White, Clerk of the Superior Court

Subject

- Chris Hutton, Legal Processing Supervisor – Clerk's Office

Employment Length

- 21 years
- Career service

Prior Discipline

- Memorandum of Expectations (MOE) dated February 22, 2022, from Constance.
- History of glowing performance reviews.

Witnesses Interviewed

- Emma Gaddis, Chief Deputy Clerk
- Andrea Kelley, Criminal Diversion Program Manager
- Justin Joyce, Fiscal Services Manager
- Danielle O'Galleher, Computer Systems Business Analyst 1
- Whitney Long, Legal Assistant 3

Allegations and Findings

- **Allegation #1:** Chris isolates himself in his office.
    - **Substantiated.** Several witnesses confirmed that Chris has been isolating himself in the office when in the past, he maintained a significant presence at the front counter managing staff. Chris also admitted to spending more time in his office and said he started isolating himself shortly after Kevin gave his retirement notice.
- **Allegation #2:** Chris slammed his door after meeting with Constance and receiving an MOE on February 22, 2022.
    - **Substantiated.** Chris admitted to closing his door harder than he should have after receiving the MOE. He admitted that it was unprofessional and that he did it out of frustration.
- **Allegation #3:** Chris stood uncomfortably close to Constance prior to a May staff meeting, and held eye contact with her, but did not speak.
    - **Unsubstantiated.** Only one witness confirmed that Chris was standing next to Constance and that it was "closer than most," and that Constance appeared uncomfortable. However, the same witness, as well as others, explained that everyone was standing rather close together, shoulder to shoulder, during the staff meeting due to the amount of people in the room. Chris denied standing closer to Constance than others and denied starring at Constance as alleged.
- **Allegation #4:** Chris was angry and upset while meeting with Constance and learning that he did not get the Chief Deputy Clerk position. It was alleged that he was stern,

dominating, and intimidating when he leaned forward across the table and repeatedly said, "you need to tell me what my place is here," and asked, "what do I do now?"

- **Substantiated.** Chris admitted to being upset about not getting the position and being emotional and teary eyed but does not recall yelling or that his body language suggested aggression. He said he may have enunciated his words more than usual while holding back tears and in an attempt to not show that he was angry or upset that his "dream was not going to happen." He admitted to asking what she sees his role being in the office but did not direct her to do anything.

Other Information

- Two employees described Chris as a narcissist.
- One employee described him as a "pompous asshole."
- No witnesses had any safety concerns about Chris' behavior now or in the past.
- Multiple witnesses described him as being emotional and having a difficult personality and managerial style that has gone unchecked for years.

Options

- **Letter of Reprimand with Expectations**
  - **Lowest Risk**
    - Natural next step in progressive discipline given outcome of investigation, lack of prior discipline, and a history of positive reviews.
    - There are very clear expectations that can be set to assist in correcting his behavior and performance to be in line with his classification description.
    - These expectations will need to be monitored closely to ensure he is making progress.
    - Letter of reprimand is grievable only to step 3 – HR designee.
- **Suspension**
  - **Low/Moderate Risk**
    - Similar to a letter of reprimand, there are clear expectations that can be included in the notice of suspension.
    - Suspensions of 20 day or less are grievable through step 3 – HR designee.
    - If more than 20 days, there is a risk that he appeals to the Personnel Board and the suspension is either reduced or overturned due to no prior discipline and positive history of performance reviews.
- **Separation**
  - **High Risk**
    - Chris is a long-time, career service employee with no prior discipline and a history of positive performance reviews. There is a strong possibility that he appeals to the Personnel Board and is reinstated.

TO: MELISSA ARNOLD, LABOR

FROM: CONSTANCE R. WHITE, CLERK OF SUPERIOR COURT

DATE: JULY 25, 2022

RE: Expectations/Performance Deficiencies – Chris Hutton

Please find the requested information below in response to the Clerk's Office Investigation Analysis. If you have any additional questions, please contact me.

Expectations

- Make yourself available to divisions and team members to achieve the required tasks, goals, and objectives
- Adhere to a regular work schedule and inform the Clerk/Chief Deputy when you will be out of the office for unscheduled time off
- Be supportive of new ideas/suggestions as it relates to forward movement within the Clerk's office
- Have an attitude of service towards staff, co-workers, and customers
- Learn to address an issue/challenge and come to a resolution, even if it is not your suggestion
- Support the Clerk and the changes that may/will take place, if you have concerns, please voice those to the Clerk
- Training and development need to be a part of a strategic effort to create a culture of learning and development
- Share your knowledge with other team members to encourage growth and development; start succession planning to enhance skillset across divisions.
- Be a positive, knowledgeable representative of the Clerk's office

Performance Deficiencies

- Staying away from staff during the day / isolating yourself in your office
- Not being supportive of new ideas/suggestions
- Being condescending when someone makes a suggestion that you do not agree with
- Harboring grudges against individuals if you do not like the outcome of a situation
- Leaving in the middle of the day without proper notice to the Clerk/Chief Deputy

As a side note, please recognize that the matter of the investigation was not performance based it was brought to the attention of Human Resources due to my concern for my personal safety.

Andrea Kelly

From: Andrea Kelley
To: Liesl Kondor
Cc: Andrew Sawtell
Subject: FW: Message From NEOGOV Insight: Requisition Created
Date: Wednesday, July 27, 2022 12:02:00 PM
Attachments: image001.png

Hi Liesl,

I'm following up on the job posting for the Pretrial Services Case Coordinator 2. Unfortunately, I was a bit unclear about what pieces Constance was facilitating and where Andrew and I stood regarding our status as the hiring managers (as Constance has been the person in communication with HR about this position since my last email with Lindsay below on 05/19/22). I have confirmed with Constance that communication moving forward about this position will be with Andrew (or me) who is working on phone screening and interview questions that he will be forwarding to you for review. I assume that applications will be sent to Andrew via NEOGOV? This will be the first time that he is working in NEOGOV, so please forward any setup information that he would need to get started.

Thanks!
Andrea

From: Lindsay Derrick <lindsay.derrick@piercecountywa.gov>
Sent: Thursday, May 19, 2022 3:38 PM
To: Constance White <constance.white@piercecountywa.gov>; Andrea Kelley <andrea.kelley@piercecountywa.gov>
Subject: RE: Message From NEOGOV Insight: Requisition Created

Absolutely! I will hold on the position until I hear otherwise.

Thank you,

Lindsay Derrick
Recruitment Manager

Pierce County Human Resources
p: 253.798.8501 l f: 253.798.7489
lindsay.derrick@piercecountywa.gov

From: Constance White <constance.white@piercecountywa.gov>
Sent: Thursday, May 19, 2022 2:50 PM
To: Andrea Kelley <andrea.kelley@piercecountywa.gov>

Cc: Lindsay Derrick <lindsay.derrick@piercecountywa.gov>
Subject: RE: Message From NEOGOV Insight: Requisition Created

Thank you,

Constance

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Thursday, May 19, 2022 2:29 PM
To: Constance White <constance.white@piercecountywa.gov>
Cc: Lindsay Derrick <lindsay.derrick@piercecountywa.gov>
Subject: RE: Message From NEOGOV Insight: Requisition Created

I had to call Emma because I didn't remember. Yes, I created it back when Andrew vacated the position, but I no longer have access to it as it's now under Andrew who has been working with Lindsay on a recruitment plan. Including Lindsay on this email so she knows not to post it until further direction from you.

Thanks,
Andrea

From: Constance White <constance.white@piercecountywa.gov>
Sent: Thursday, May 19, 2022 2:20 PM
To: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Subject: FW: Message From NEOGOV Insight: Requisition Created

Did you generate the requisition?

If so, we need to wait on this until we are able to meet.

Thank you

Constance

From: info@neogov.com <info@neogov.com>
Sent: Thursday, May 19, 2022 2:07 PM
To: Constance White <constance.white@piercecountywa.gov>
Subject: Message From NEOGOV Insight: Requisition Created

*** NOTE: This email was sent from NEOGOV ***
------*---*---*---*---*---*---*---*---*---*---*---*---*---*---*---*
PLEASE DO NOT REPLY TO THIS EMAIL
If you reply to this email, your reply will *NOT* be read. Instead,

please contact the individual(s) listed at the bottom of this email
if you have questions.
------*---*---*---*---*---*---*---*---*---*---*---*---*---*---*---*

Hi Constance,

Requisition# 22-00395 has been created on 05/19/22.

Class Title: Pre-Trial Services Case Coordinator 2
Working Title: Pre-Trial Services Case Coordinator 2
Desired Start Date:
Department: Clerk of Superior Court
Division: Clerk-Pre-Trial Services
Hiring Manager(s):
Constance White constance.white@piercecountywa.gov
Andrew Sawtell andrew.sawtell@piercecountywa.gov

To view the details of this requisition, please go to
https://login.neogov.com/authentication/saml/login/piercecountywa
If you have any questions regarding this recruitment, please contact:

Lindsay Derrick (HR Liaison)
lindsay.derrick@piercecountywa.gov
253-798-8501

From: Constance White
To: Andrea Kelley
Subject: RE: DIAS Annual Self-Assessment Certification Reminder
Date: Friday, August 12, 2022 3:33:22 PM

I am currently waiting for a return phone call that should happen next week. I am certain that all documents will be able to be submitted by 8/31.

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Friday, August 12, 2022 3:31 PM
To: Constance White <constance.white@piercecountywa.gov>
Subject: FW: DIAS Annual Self-Assessment Certification Reminder

Following up on this as we last spoke about it on 7/28/22, is there anything you need me to do to ensure that we turn in our documents by 8/31? Thanks!

From: DOL PSD Data Services <DataServices@DOL.WA.GOV>
Sent: Friday, July 22, 2022 11:05 AM
Subject: DIAS Annual Self-Assessment Certification Reminder

Hello,

Please complete the attached **DIAS Annual Self-Assessment Certification** form and return by **August 31, 2022**. Also attached is a copy of the contract terms and conditions that you agreed to when you registered as the account Administrator. It contains the Annual Self-Assessment Requirements (pages 4 and 5), Data Security Requirements (pages 9-11) and Permissible Use Requirements (page 12) referenced on the certification form.

If you are the Administrator for multiple DIAS accounts, you must submit a separate form for each account.

If you need to add, remove, or change access for any users, see the **Manage User Functions and Manage User Access** (pages 13 and 14) instructions in the attached DIAS Account User Guide.

When you have completed the form, click the **Email Data Services** hyperlink located in the bottom right corner and email back here.

Let me know if you have any questions.

Kristie Pettibone
Contract Compliance Specialist, Information Security and Privacy
Data Management Office
Washington State Department of Licensing
dataservices@dol.wa.gov | dol.wa.gov

From: Constance White
To: Andrea Kelley
Subject: RE: DIAS Annual Self-Assessment Certification Reminder
Date: Tuesday, August 16, 2022 11:06:45 AM

Andrea,

You can move forward with the Self-Assessment Certification.

At the present time, due to time constraints, we will continue as we have, but we will be moving to being under the Clerk's Office, once DOL corrects the EIN situation.

Thanks,

Constance

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Friday, August 12, 2022 3:31 PM
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Subject: FW: DIAS Annual Self-Assessment Certification Reminder

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Let me know if you have any questions.

Kristie Pettibone
Contract Compliance Specialist, Information Security and Privacy
Data Management Office
Washington State Department of Licensing
dataservices@dol.wa.gov | dol.wa.gov

From: Constance White
To: Andrea Kelley
Subject: RE: Contractor denied access to CCB
Date: Tuesday, August 23, 2022 5:20:20 PM
Attachments: Background Check Request and Authorization.pdf

Thanks for the content.

As I said in my email (now that you know the process) you will need to make sure you are following the process. I do understand that processes change and my expectation is that all managers be more forward thinking and not get "rooted" in processes. The County is growing and progressing and we need to adapt a similar mentality.

I have attached an updated form that Dan provided when we discussed vendors.

You will need to complete the first section, applicant will complete sections two, three and four.

The Sheriff's Department section can be left blank and you can mark "no" for CJIS.

I do realize that Dan has already authorized the reactivation of the badge but I want proper protocols and paperwork to reflect the process that has been implemented by Security.

Constance

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Tuesday, August 23, 2022 4:27 PM
To: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Contractor denied access to CCB

Yes, until today I had no idea (as you can see from the attached email) that there was a 2 year expiration on badges. With all the recent security changes, did Dan indicate that the application paperwork has changed or can I use the same application form? (I still have it from 2020).

I've put a reminder in my calendar for Aug 2024 to update the application.

Thank you,
Andrea

From: Constance White <constance.white@piercecountywa.gov>
Sent: Tuesday, August 23, 2022 2:38 PM
To: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Subject: RE: Contractor denied access to CCB

After reviewing the attached documentation, it does appear that this application was completed in 2020. After speaking with Dan this morning, the process needs to be updated every two years, so a

new application should have been provided, in addition to an updated WADL once it expires.

You need to make sure you are following the process.

Please make sure that you get an updated application for your records so that it will reflect the 2 year expiration date for contractor badges.

Thank you,

Constance

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Monday, August 22, 2022 2:11 PM
To: Dan Hockaday <daniel.hockaday@piercecountywa.gov>; Tom Heslin <tom.heslin@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>
Subject: Contractor denied access to CCB

Good afternoon,

Reaching out regarding a badge and CCB access for Elena Bernal with Friendship Diversion. Elena's badge was confiscated today and Michelle informed me that it was deactivated 6/4/22. Given her activation status, her badge and bag (containing a specialized screwdriver) were understandably confiscated. We have a contract with Friendship Diversion for the installation of electronic monitoring devices and transdermal alcohol monitoring devices for people releasing from custody. Those devices are installed in our office (room 108) in the CCB. This is done during regular business hours.

Attached you will find copies of the original application and Elena's WADL.

Is there something that happened on 6/4/22 that I am unaware of? Or is there an updated application process that the Clerk's Office needs to complete in order to get her badge reactivated? In reviewing the application, Elena will still not have unescorted access to CJIS areas or LENEL access (unless the point of entry to the building is considered to be LENEL access now?).

Thank you!

Andrea Kelley
Pierce County Clerk's Office
Criminal Diversion Programs Manager
andrea.kelley@piercecountywa.gov
253-798-8613 (o)
253-798-3428 (f)

From: Dan Hockaday
To: Andrea Kelley
Subject: RE: Clerk staff access to imaging door
Date: Friday, September 2, 2022 10:33:55 AM

Hi Andrea,

Constance reaching out to request access be added to the badge is the best next step for now.

Access via badge is typically managed through the "Department Security Coordinator" for the department. Those two folks for the Clerk's Office are Constance and Tyler Wherry.

Normally they'd be able to do that for you without our involvement but as these new readers are being integrated to the system that assignment of ability to assign access has not yet happened for the new readers, so email confirmation from her to me is the interim measure.

Dan Hockaday
He/Him/His
Program Coordinator

Facilities Management – Security Division
Office--253-798-7301
Cell--253-306-2544
daniel.hockaday@piercecountywa.gov

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Friday, September 2, 2022 10:21 AM
To: Dan Hockaday <daniel.hockaday@piercecountywa.gov>
Subject: Clerk staff access to imaging door

Hi Dan and happy Friday!

We had a situation yesterday where a pretrial staff member was in court and ended up being locked out of the office as his lenel badge does not work on the clerk's office door to the imaging area. He ended up having to get someone in the clerk's office whose badge *does* work on that door to let him in. Is there something that you need from me in order to have employees have access to that door?

Thank you,

Andrea Kelley
Pierce County Clerk's Office
Criminal Diversion Programs Manager
andrea.kelley@piercecountywa.gov
253-798-8613 (o)
253-798-3428 (f)

Date: 10/14/2022 **Time:** 2:26 p.m. **Department:** Clerk's Office

Employee: Andrea Kelley (AK) **Labor:** Melissa Arnold (MA) and Alyssa Cavanaugh (AC)

AK Looking at WBC. If it pertains here. Don't think I can sit on this much longer. Really impacting staff in office. Looking for assistance if WB or complaint or report of inappropriate behavior. Was helpful to do Bronze training to learn some of this. Let me know if we're getting into non-confidential. Criteria for WB, bullying/intimidation? If I don't see improvement your job is in jeopardy. No performance measures. Sabotage? Don't come to this mtg with exec office. That person going to mtg and saying I wasn't available. That's realm I'm in. Bullying, great friend but amazing enemy. Recounting a story to line-staff about when this person's son was in middle of breakout, girl talked about protection order. This person called girls and said I know a lot of people, your parents are undocumented, right? Significant intimidation.

MA Depends on specific action. Also have EEO policy, protected class.

AK Told early on, org chart being revised. Haven't received. People aren't sure who they report to/who reports to them. EEO – comment made about my race, but it was after I was asked to speak on lunch and learn for AAPI. Asked by Mary Ransier. I was talking about story, had open convo with Mary. People don't see me as Japanese. I was struggling with being on it or not, this person said, Mary asked to speak about challenges as result of Japanese, I said my challenge have been different. I don't necessarily look Japanese she said no you pass for white. I can't connect that. Historically some tension between races but can't necessarily connect treatment to that. Seems punishment for being candidate for clerk position. She's made allegations of racism but directed me not to do anything about it. Concerning for me as manager, setup for sabotage. I'm not okay with that, you're telling me not to do anything. Opens up County for liability and feels gross. Smear campaign – eight line staff have come to me in office and talk about how she's been talking negatively about me to them.

MA Investigations, we talk about retaliation and protecting employees.

AK She talked about results of investigation and angry with HR results in June for Hutton. Have meeting with Bruce Monday. Staff in office, feel like soldier jumping on grenade, staff suffering from panic attacks. Sick leave, too stressed to come in office. It's bad. I don't know what to do. Feeling trapped. Peoples' physical health suffering. I've lost 15 lbs. People leaving because of the environment. Retiring early. Somebody else who I don't want to be the front of this. If I talk to Bruce, do I still report it to HR? Something needs to change.

Date: 10/24/2022 **Time:** 1:30 p – 2:30 **Department:** Clerk's Office

Employee: Andrea Kelley (AK) **Labor:** Lisa Hilligoss (LH) and Melissa Arnold (MA)

Start time: 1:47 p.m.

LH We have never formally met, I am the Assistant Director. Melissa is taking notes today. Dan talked to me a little bit and said he had a meeting with you last week and referred you over to me. He didn't provide me with a lot of information because he wanted me to gather that myself. I have a 2:30, so if we need more time we can schedule more.

AK Apologized for my tardiness. Jumping right in?

LH I will be asking for some detail. I know you have been reluctant to dive in too deeply, I will be taking the time to sort through the details because that is what is helpful.

AK The anxiety or concern, I am trying to figure out the best route. I don't know if what is happening rises to level of whistleblower complaint. It seems pervasive but I also feel targeted and there are people in the office who are witnessing what is happening to me and experiencing it themselves. That was my question to MA is that the route to go or just an intake. My other concern, this is about Constance White obviously, the review process for that, does it go to Judy? Well, they go to dinner and do wine tastings together. No offense to HR or Judy, but I would hope she would remain impartial, and it is a scary prospect. I had another department director who I disclosed this to, and they said I seemed to be the soldier jumping on the grenade and I thought well the soldier dies. I love the County and I have been here 17 years and haven't had to meet you before. Now I am having to meet you twice in 12 months.

LH Can you start from the beginning? Pretend I don't know anything.

AK I was an internal candidate for the Clerk position and part of the reason I have hesitated so long is because of sour grapes and didn't want to look like a jilted candidate. It wasn't until I started talking to someone else who thought his face was going to be on this and I can't do that to him because he is a good friend for mine.

LH Who is that?

AK Justin Joyce. He spoke with his mentor, Julie.

LH Trying to tie pieces together, appreciate that.

AK When Constance came here things were great and she promoted me. Kevin retired mid-November and she didn't start until December 6. Because we didn't have Clerk I was named interim Clerk for those few weeks. I called her a few times and things were fine and then she promoted me. She said most of my choices are business, but this choice is

business and personal because of how hard I was working. I was honest with her and told her I was an internal candidate and it was an elephant in the room for me and she had already known that. I met with Bruce and Dan before she got here about whether pre-trial services should be its own department and I told her that too because that had been a conversation with Kevin too. I am crap at poker. Things were going well and then in February, things started to shift. I don't know what happened, but JJ, Emma, and I took her to lunch. She told us she would be harder on me than anyone else because we are a lot alike. She said that JJ, Emma, and I were the three people in the office that she could trust. We were like great because we are your management team; we are thrilled to hear it. The other comment she made in February was recounting a story to Emma and I. She said in Texas she was doing something in the court room and said something inappropriate and she said she called that judge into her office later and told him I make a great friend, but I make an amazing enemy.

LH Sorry, to keep interjecting. When did you start taking notes?

AK February.

LH What made you start taking notes?

AK Those two comments. There were also emails I got on a listserve about clerks, and someone was asking for help about a warrant. I went to her office and asked if she needed help with that and she said, "nope, I need to do it on my own." Things just started to feel tense.

LH What caused you concern?

AK Not concern, she may say she trusts me, but she doesn't want help. I would go over and see her, and I didn't do that as much then, and she said, "well, you're avoiding me." This pattern of keeping people off balance. That wasn't anything nefarious in of itself but establishes a pattern. In March, she made the comment about how stressed she was, and she would get very emotional and she said she didn't want to hear about pre-trial services from me, she said, "everyone speaks very highly of you and I don't see it."

LH Was anyone there?

AK No. That was the same conversation she job shadowed someone in pre-trial services and told me that he seemed to treat POC differently in the jail. In theory he would have been putting his best foot forward. She said he spoke to white people in the jail as sir or ma'am but POC by their name. She said that I am furious, and I told her what do we do? Do we go to HR? She said I don't want to do anything about it, and she needed to think more on it. I have gone back to her on it twice, and with other people in the room, but this happened in March, and this is something that we should have zero tolerance for. She has said that she doesn't want to do anything

LH Name?

AK His name is Teddy Rutt?

LH Who did she make the comment to?

AK Me. She also told front line staff, Danielle O'Galleher. Danielle was her confidant and she contacted me after she left, and she knew things about me I don't think she should know. She said Constance was angry at HR for not recommending anything. Those are Constance's words to Danielle and Danielle's words to me. I recognize the telephone effect there. We were told not to talk about it, but according to Danielle there were no recommendations in June. But Chris just finished his suspension last week. The office is so suspicious and so toxic. There is now this dividing and lack of communication and her triangulation. I can name 8 people in the office she has spoken negatively to about me.

LH Names?

AK Emma Gaddis, JJ, Amanda Perez, Becky Auckland, Danielle O'Galleher, Sarah Schaub, Tyler Weary. They have nothing to do with pre-trial.

LH Tell me how you know this?

AK They've come to me.

LH What have they shared?

AK Danielle knew the piece about allegations of racism. The other piece was that Constance and I disagreed on the hiring to backfill my position. I wanted an internal candidate, and she did not. Brooke Burbank from the PAO was on that panel. Constance made it clear she was not happy about my candidate in front of the panel. The second interview was in front of Mary Ann Clear, Thurston County pre-trial services person, and Judge Sorenson. I don't think Constance knew Mary Ann and I talk. She told me that she didn't think Constance would ever call her again because she didn't pick her candidate. She said Constance's candidate answer the questions and cussed. Andrew, the internal candidate, was clearly more qualified, and to the interview panel who were impartial, Andrew was stronger. If you wanted to keep the ball rolling, you would pick Andrew, if you wanted to change the shape of the ball pick the other candidate said Judge Sorenson.

LH You gave a list of Pierce County employees?

AK Constance said in April if I don't see you guys stepping it up in the next 6 months, we would be having a very different conversation and that she would provide expectations written by the end of the week. She didn't want to wonder why she hired them both. Danielle knows all of that, and I never talked to her about it. Andrew got that position and then she sat on that position for two months. We did the recruitment plan with

Lindsay, and when getting ready to post, Sarah was surprised we were filling the position because Constance hates this program and does nothing but bad mouth pre-trial services and that she believes Constance wants to get rid of the entire program.

LH Did Danielle talk about your role with the allegations of racism or general?

AK More general. My office works a hybrid schedule and Constance told Danielle that staff was supposed to come back to the office, and I was not complying with it and it was June already. I was like what do you mean? She thinks I'm ignoring her for five months and ignoring a directive? She said she wanted to have things consistent back in January, but never gave me a directive to have staff come back in the office. Danielle said Constance had said she gave the directive back in January. Becky is the other one who said she spoke negatively about pre-trial services. They said they will go talk to her about something else and the conversation will end up being about pre-trial services.

LH What about pre-trial?

AK That she speaks negatively about pre-trial. I haven't wanted to pry. It's flimsy, but I don't know what it means. I went to her in May about Tier 2 meeting on May 23 on my calendar and she said I didn't need to go to that. I didn't think she had ever seen that data, but she said she would handle it with JJ. Elisa Long was sending reminders. Because she told me not to go, I went to another meeting about pre-trial. At 10:27, she sends me a message saying she needs me at the meeting, and I told her I was in another meeting and that you had already told me you didn't need me. She told meeting attendees that I wasn't available when in fact she told me not to come.

LH How did you know?

AK JJ and Elisa Long. I had let them know I wasn't coming because Constance said I didn't have to. I finished my meeting and ran to the Rainier Room, and everyone laughs because they were all closing up and had just finished. What bothered me is after the fact she told them I wasn't available instead of telling them I didn't have to come. She has also told me that she has told the Exec's office that she doesn't support the pre-trial program. Dan said he has never heard that but I don't know if the execs office supports the program. I used to have regular contact with the Exec's office but haven't since she took over. She has also turned down public speaking engagements about pre-trial services because she doesn't support it.

LH We do have a few minutes left, but have you taken the opportunity to talk to her?

AK I've talked to her three times. One time I did it and she berated me in front of two other staff members. She told me to let that stress go and that she can see it on me as she walked out of the office in front of Hallie and Eve McKay. Another time I confronted her about feeling that I was sabotaged in the Tier 2 meeting, and she told me she didn't and started crying because she had been sabotaged before. This was back when Hutton got his

MOE, she told me at that point that I don't fire people, but I make an environment where they voluntarily leave. I feel that that is being done to me and that is why it makes me sad because I really like my job.

[set additional meeting time 10/26]

AK I know in theory this should be confidential, but is there anything else I should be doing.

LH No, but have you reached out to EAP?

AK RC7

End time: 2:30 p.m.

Date: 10/26/2022 **Time:** 2:00 p – 2:30 **Department:** Clerk's Office

Employee: Andrea Kelley (AK) **Labor:** Lisa Hilligoss (LH) and Melissa Arnold (MA)

Start time: 2:00 p.m.

AK I tried to go back through my notes because I was jumping all over the place. Some conversations stand out as more egregious than others, but there isn't one incident; it is like death by a million little cuts. A million little miscommunications so I organized things by patters like decreased morale, intimidation and targeting, lack of availability, sabotage, disparate treatment, unprofessionalism, and gossip, and my attempts to approach her.

LH Do you have examples for each category?

AK Yes.

LH That is very helpful.

AK At the suggestion of an attorney friend, I was told to document stuff because it wasn't getting better. Should I start going through stuff.

LH We can do that. I would also ask if you would be willing to share a copy with me.

AK Sure.

LH Then I can dissect it and follow-up with questions.

AK I have the biggest things in my head under each category. It is pervasive and all over the department. We pulled time off from Workday, I know I've lost about 15 pounds since about March over this. RC7 [redacted] People said they've been scared to come into work because of anxiety attacks, people reaching out to EAP, and taking leave. We pulled Jan 1 through Sep 18 of this year, there was an increase of 959 hours from last year and that includes someone being out on paternity leave for over 600 hours. RC7 [redacted] I know times are hard and workloads are crazy, but it is a snowballing effect. In talking about the whistleblower (WB) piece, there was $60,000 allotted in the budget for remodeling the Pre-Trial area prior to her arrival. When she got here and was telling me I don't know what you do and don't justify the positions you have, when I talked about remodeling, she told me I was not getting that. I've now started tracking the number of times my staff have had to check people in in the public hallway. Her complaint is that we don't get to know people well enough, but I can't do that at a window. The remodel was to setup confidential spaces to get into what services people really need. People won't get into conversations about their

substance abuse history at a window when there is someone in line three feet behind them.

LH Have you talked to her about that?

AK Yes and she said that until she gets to know the program that is 2-3 years off and now our numbers are more than they have ever been. I also told her I am tracking the number of times we have to talk in the hallway and that I don't have a space to interview them. She said good, that will help me make the argument about what to spend the money on. But we already had that money allotted to us.

LH How do you think that ties into WB?

AK I believe part of the WB policy was not allowing adequate staff. Like I said, this is a million little passive aggressive actions I don't want to be seen as Andrea being sensitive. She talks to line staff about how stressed she is and that she just wants to make it a year because that is the goal she set for herself. RC7 [redacted] I think she was underprepared for such a different position and dealing with over 50 staff with a completely different system and statutes. When she is feeling overwhelmed she lashes out inappropriately. She said that my space is one that she is more familiar with and that it is her "wheelhouse." She went from having a $450k year budget to a 17 million dollar per year budget.

LH RC7 [redacted] ?

AK I was at lunch. RC7 [redacted]

LH Thank you.

Ak She said she doesn't fire people but creates and environment where people voluntarily leave. She originally said she had an open door policy, but at a staff meeting she said she no longer had an open door policy because people were bringing her too many problems. She said we would need to schedule time on her calendar, but we don't have access to her calendar and never know when she is working from home, when she will be out, or when she is on vacation. She will go to Texas for a week, but her calendar says she is available. She said don't bring me a problem without a solution. I appreciate the intent, but if I had a solution, I would have solved it which is why I am bring this to you as the director. With regard to disparate treatment of staff, when she first started, she had one on ones

with everyone in the office except for pre-trial; never met with any of my staff and they feel that. Maybe she would have gotten to us, but she got to someone from every other department before telling us she no longer had an open-door policy. I'll have to add names to this document. I assume I don't tell them I am giving names?

LH I will probably have conversations with others and then reach back out to you with more information. I kind of want to step back and develop a plan.

AK I was invited to speak at a national conference, and I missed the email. When I emailed Constance that I had been invited, she said that she wanted to meet to find out what I was going to say. I scheduled a meeting for a week later, and it was a little bristly, and then I walk into the meeting, and she said okay sounds great. The government rate was sold out, so I sent her other rates and she said that is fine. I told her we already have a training budget approved and this was for under the amount. It was ear marked for $800 per person and this was higher than that, but we had extra money leftover from other trainings where people couldn't go. She said yes, go ahead and I accepted the invitation. She gave me approval on 8/11 and the conference was on 9/19. On 9/1 she sent me a message on Teams saying she no longer approved my attendance and we could talk about it upon her return from Texas because she didn't want to talk about it over Teams or email.

LH Do you have that initial approval?

AK Yes, I have that email. [reads email] Told to schedule time on 9/12 and the conference was on 9/19. She said the increased cost was a factor but she had previously approved the higher cost. [reads additional email string]. She came back into the office on 9/8 and came into my office that morning because her son was here. She said Texas gave her some time and that I should go to the conference and that she should trust me more. I had already declined because of what she told me and that I was embarrassed for being flaky on a national level. She asked for the email of the person and I said I didn't think that was appropriate and she said it was my decision whether to go or not. She said she had spoken to her mentor in the Exec's office, Alice McDaniel, who also said I shouldn't go. I told her it felt like sabotage again because being asked to speak at a national level was an honor. She said what if they asked a question I didn't know the answer to which was directly opposite of what she just told me. She then said, "you've been resistant against me since day one." That's when I thought I needed to talk to Dan and legal counsel because that is not true.

LH That is recently?

AK That was 9/8. Just a few months ago her attitude was different and I can't be her counselor. As part of her management team I'd like to be a confidant, but we haven't had a single management team meeting since she got here. It is just lies and talking out both sides of her mouth. She can't say I am separating myself when she doesn't invite me to

other management teams and only has one on ones with me so other people can't hear her speak to me. Emma called one management team meeting, but it was about holiday celebrations. She's said I need to adhere to these expectations but hasn't provided them to me. She's said changes are going to be coming at a rapid pace in a staff meeting with no other information. The years of service awards we got from HR and before she started I told her I could hold them until she started to raise morale and she said yes, hold them. They still haven't gone out. For onboarding, a new hire got stuck in Workday in HR, so I called Liesl and she said she would push it through. I emailed Constance to let her know it wasn't me who dropped the ball and we weren't sure if she would have a login. She responded that she was glad I reached out to HR "as a good manager should." Then there was a badge issue and I emailed security who said I needed to renew them and I had no idea. I sent that to Constance as an FYI for contractors. She responded back saying thank you and that I needed to follow the procedure. I told her yes, we just found out today and she again responded that I needed to follow the procedure.

LH Can you provide email examples?

AK Yes, I still have them.

MA I can set up a OneDrive folder.

AK Then it would be subject to public disclosure.

LH I'm sure you have it saved somewhere.

AK Yes, but on my personal devices. Also, for Chris Hutton, when he was suspended, people knew about it, but she never told the management team. We had people asking us questions and didn't know what to say. It would have been nice if she called a meeting and told us what to say. It feels lonely. A lot of people feel isolated and scared of retaliation. It is just lies. We don't know what she is telling other people. Dan said he doesn't remember her saying she doesn't support pre-trial services, but she tells me all the time and other people in the office. Since she came back from Texas this most recent time in September, it seems like she's been trying to be friendlier, but I feel like I am waiting for the other shoe to drop. Grace said, "I don't know what she wants from me and that she is always trying to pump me for information, but I don't know what she is trying to get." She's said she is always testing people to find out where weaknesses are. She said she tells nuanced versions of stories to people so if it gets back to her, she knows who is talking. Constance told her that she told Emma about her promotion a week early to test her confidentiality. Danielle told me the story that her son was going through a breakup and Constance said the girlfriend was threatening to get a protection order against her son. Constance said she called the girlfriend and said I know people and that your parents are undocumented. She said it with a level of pride. She had just gone to a Clerk's annual conference and that relationship is strained because of Pierce County using LINX instead of Tyler. Constance told Andrew and I that there was a speaker who was talking about

bullying and forgiveness. The speaker then came up to Constance's table after and introduced themselves and the woman said, "oh, Pierce County." Constance said she was hot and then approached the woman outside on a break and told her that she thought the interaction was unprofessional and that you just dismissed me at a table of people I don't know well after just speaking about bullying. She told Andrew and I that the lady was talking about how her daughter was bullied and Constance said maybe that started at home with you. She laughed and said Floyd told her not say that either. She said it with a smile on her face and was unprofessional.

LH What do you want to see happen?

AK I don't know. I don't know if this is something that can be changed by training, these are behaviors. I don't want to discredit LinkedIn, but I don't know if a training on mindfulness would be helpful. I would like to see her treat people with respect and stop lying and sabotaging me.

LH Are there people who can say positive things?

AK I'm sure. I can say positive things about her too that she's done for us. I'm not saying positive things don't exist; she does have some good ideas. With regard to being a manager and leader, that is where it is a little more difficult.

LH Fair enough. Do you have anything else you want to talk about? I want to make sure I get a copy of that and supporting emails.

AK I can send screenshots of the Teams messages as well. I don't know if you know this, but Chris put his two weeks in. In my opinion, this doesn't have anything to do with him.

LH I understand that. You have already been talking to Melissa before that and these issues are your issues; you didn't really bring him up.

AK What happens next?

LH I will get back to you on that.

AK The only other thing is that I feel like she will say anything when she feels cornered or trapped. She recently made a comment in the Monday Tier 2 meeting that we've been seeing more male applicants for civil protection orders and that is not true. I even clarified that with JJ after. I think she may have conflated the comments with her comment about teenagers getting LINX accounts when she may have meant civil protection orders due to a statute change. If you don't work in here, you wouldn't know it was untrue. It made me wonder what else she is saying that isn't true or that she doesn't have all of the facts on.

LH Who attends Tier 2?

AK Me, JJ, Emma for the first time, and her new admin assistant who was new as well. I will go ahead and add some names and send any emails and Teams screenshots too.

LH Thank you for meeting with us again; I know it's difficult.

AK It is because it just feels gross. I don't think she a bad person but when I've tried to talk to her, she's cried or attacked me.

LH When you have coworkers sharing information with you, do you ask for details?

AK I don't because I've never had to navigate this before and it feels like kids going back and forth and don't want people to feel caught in the middle.

LH The one piece I would offer is that people recycle the same incident over and over again so you may feel that it's a fresh statement, or if it is the same thing just regurgitated. That is why I ask about time and supporting information. It is a common phenomenon.

AK I believe that.

LH You're probably going to feel more sensitive once you've shared because it's going to feel like, does she know? You may want to take more time to ask more detail.

AK When will she know?

LH That is kind of what I want to figure out and then get back to you. I'll let you know how that is going to play out.

AK She said she met with Dan recently and has more questions about pre-trial. She does have access to my calendar and does know if I am meeting with you.

LH Feel free to reach out if you have more or need to talk.

AK RC2 [redacted].

End time: 2:55 p.m.

From: Constance White
To: Andrea Kelley
Subject: Follow up - Meeting 10/28
Date: Tuesday, November 1, 2022 3:37:15 PM
Attachments: 11-1-2022 Kelley Pretrial Services.pdf

Good afternoon,

I have outlined a couple of items from our meeting on 10/28 and also need some additional information.

During the meeting you stated I was asking a lot of questions, so I decided to put them in this format with different due dates to allow the opportunity for planning. We will have our regular meeting on 11/3 to discuss the items targeted for that date.

If you have any questions, please feel free to reach out to me.

Thanks,

Constance

Constance R. White
She/Her/Hers
Pierce County Clerk

Pierce County Office of the County Clerk
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As much as it terrifies me to reach out about this, I can no longer remain silent about a work environment that is negatively impacting staff's productivity, morale, and physical health and well-being. In the last 10 months, the office has unnecessarily experienced patterns of microaggressions, inconsistent communication, targeting, unprofessional conduct, and is beginning to show signs of struggling to function as a high performing department under the pervasive background of suspicion, hostility, intimidation, behaviors that intentionally keep staff unsettled and off balance, and outright lies from Constance. These patterns are resulting in an untenable work environment and retention issues. Constance manages by bullying, division/isolation, passive aggressive controlling behaviors and does not have the leadership skills, or credibility to lead the office.

Decreased morale, productivity, and safety of staff:

● Multiple staff members (Justin Joyce, Emma Gaddis, Amanda Perez, and myself included) have disclosed reduced enthusiasm regarding employment RC7 [redacted]

● Comparing time off hours between 2021 and 2022 reflect the negative impact on County resources. Between January 1, 2022 and September 18, 2022, Clerk Office staff utilized a total of 8967 hours of vacation/sick leave in comparison to 8008 hours from the same dates in 2021. A difference of 959 hours. (The 2021 total includes a staff member's 660 hours of paternity leave.)

● RC7 [redacted]

● For the first time in my 20+ year career, I have sought professional coaching and legal counsel to arm myself with tools to navigate the verbal attacks and constant uncertainty in the office. RC2 [redacted]

● Upon being promoted to the Chief Deputy Clerk, Emma Gaddis indicated that she was thankful she received the position, as she was hoping to act as a buffer between CW's emotional responses and office staff (4/28/22).

● Veteran staff member, Becky Ahquin (25+ year) stated CW repeatedly "talks to me like she's trying to make me feel stupid."

● June 2022, CW informed line staff (Grace Beardemphl) that she has not had one good day since joining the County.

● 7/7/22, CW informed me that the last couple months have been the worst since joining the County and that there have been more days than not where she wants noise-canceling headphones as she cannot stand to hear road noise on the way home and needs total silence at the end of the day; that she goes home to get into a bath and cry; and that the hoops that she's had to jump through for HR and Finance are whittling away at any credibility she's built with staff.

● June 2022 CW stated that she's been sabotaged since starting her employment with the County RC2 [redacted].

● CW has repeatedly talked about trust issues, whether or not she can trust anyone and how she's repeatedly "testing" people to see if they are trustworthy. Including testing her Chief

Deputy (Emma Gaddis) for a week to see whether or not she told people she was promoted to the position. She told Emma that this was a test to see if she was trustworthy and said this to Emma in front of Justin Joyce and me 4/28/22.

● RC7 [redacted]

● 9/8/22 CW told me the "last few months" have been the hardest and most challenging in the office.

● Facilities removed fire extinguishers from the office for re-certification (March 2022) and not all of them have been returned. CW indicated that she intended to address this, I have reached out to her repeatedly for a resolution, and she has not responded as of Oct 2022.

● Aug/Sept 2022, Lenel badge access was installed for the door to the imaging section of the office and a second lenel access point to CW's office, this resulted in pretrial and imaging staff being temporarily locked out of their workspace. CW stated that the burden was on Facilities to grant access. However, when I reached out to Facilities (as CW was on vacation), they informed me that CW provided them a list of who was allowed access and that further access would need to come from her. Although presumably everyone in the office now has access to the imaging space, not everyone has access to the space shared by CW and her admin assistant. However, CW told me the lenel access point was placed on the doors to ensure that everyone in the office would have a safe space should there be need for a lockdown event. CW told Justin Joyce prior to the Lenel access point being installed that not everyone in the office would be granted access.

Retention of staff:

● Business Analyst 1, Danielle O'Galleher separated from the County in June 2022, stated she "feels badly" for everyone in the office, indicating that it was a "s**t show" and that she "feels especially bad for management" under CW's leadership.

● Dorylee Reyes, stated that "it's not the same environment, that there's no trust" which played a role in her decision to retire 9/16/22 (30+ year County employee).

● Veteran staff have reported pursuing job opportunities either in other departments or outside of the County due to the hostile environment.

● Staff have discussed enrolling on the County's transfer list; however, have concerns about retaliation after Labor Relations indicated that the list is not confidential.

Inconsistent communication/mixed messages:

● CW informed the office at the 03/01/22 staff meeting that she was rearranging the department's organizational chart. As of this writing, she has yet to provide the chart to staff, resulting in people feeling off balance and unsettled, unsure of who they are reporting to or who is to report to them.

● CW has repeatedly stated that my job is in jeopardy if I don't meet her expectations (first communicated on 4/18/22 that she would have expectations for both Andrew and me "by the end of the week"). Despite my repeated requests (at our monthly 1:1 meetings May, June, and July, she wrote reminders in her journals), I have yet to receive these expectations nor have I

received a performance evaluation or goal-setting meeting beyond a group email asking managers to identify goals for themselves.
● After Andrew's Sawtell's promotion to the PTS manager position at the scheduled 30 minute 5/2/22 staff meeting, CW announced "the hard work begins now" and that "changes are going to be coming rapidly" but didn't indicate what those changes might be.
● After completing the Pretrial Services audit, CW said that she still cannot support the program, but that she's "leaning toward supporting the program" as she continues to try to learn more about it. (6/27/22 - said in presence of Andrew Sawtell)
● Prior to CW's arrival in November 2021, I contacted her as Interim Clerk and during our conversation, I told her about the Years of Service Awards that had arrived in the office. CW asked that I not distribute them as she would like to use it as a team building exercise when she arrived. As of this writing, the awards have yet to be distributed and staff have not been formally recognized for their commitments to the County.

Intimidation and targeting:
● CW told me that she was going to be harder on me than anyone else, because she believes we are a lot alike. (2/4/22 - said at lunch with Emma and Justin.)
● CW recounted a story from prior employment in which she confronted a judicial officer stating, "I make a great friend, but I make an amazing enemy." (Feb 2022 - Emma witnessed.)
● CW reported to me that she doesn't fire people, but she will create an environment that they will voluntarily leave. (Feb 2022)
● CW stated that she's been talking to criminal system stakeholders about Pretrial Services and that she keeps hearing great things about me, but she "doesn't see it." (3/23/22)
● After a disagreement on the candidate for the PTS Manager position, CW stated her biggest fear would be supporting my candidate and that one year from now, she would say it was a mistake and "would wonder why he was in the position and then wonder what you're doing in your position." After a subsequent round of interviews, she stated she would support my decision, but if the new hire and I "both don't step it up in the next six months, we'll be having a very different conversation." (4/8/22 and 4/18/22)
● After putting in her 2 week notice in June 2022, Danielle O'Galleher reported a conversation with CW in which she told DO about an incident where her son's girlfriend talked about pursuing a protection order. CW reported she called the girlfriend, informed her that she "knew a lot of people" and reminded the girlfriend that she knew the girlfriend's parents were undocumented.
● CW reported to Emma that she tells nuanced accounts of events, so that if the word gets out, she will know who was talking and there will be repercussions.
● 10/28/22, Becky Ahquin stated that CW was angry about the organizational structure developed or provided by Class and Comp, that in their hierarchy, Law Library Director, Laurie Miller and I were listed above her.

Lack of availability and presence:
● CW originally stated that she has an "open door" policy and according to a January email wanted "to create an open avenue of communication within our office." However, at the 05/03/22 monthly staff meeting, she stated that there were too many people coming into her office for too

long and with too many problems, so she no longer had an open door. If someone had an issue that needed her attention, that person needed to schedule time in her calendar and to not bring a problem to her unless you also had a proposed solution.
● Staff do not know when CW is in the office, working from home, left for the day, or on vacation. This makes scheduling time with her difficult as her calendar indicates that she is available when she is out of the state on vacation or not in the office.
● CW does not inform her management team when she is out of the office, she will regularly say that she will be in later (for example, after an appt) but then tells her admin asst that she is out for the day.
● CW does not often enter my office. If I do not go to her office, I will go multiple days without seeing her. I make an effort to go to her office regularly as she has stated that I "avoid her." (May 2022)
● Chris Hutton was suspended from the office in October 2022, at no point did CW meet with her management team to inform us of this situation, that it was imminent, of how it was to be handled in the office, or how she would want us to respond to line staff who questioned his absence.

Sabotage:
● 3/23/22, after job shadowing PTS staff in the jail on 3/16/22, CW stated she spent the week furious and crying as she observed inconsistent treatment of white people and PoC in the jail by PTS staff. I immediately asked about methods to remedy the situation as this would not be tolerated. CW said that she didn't want me to say anything about it or do anything about it at that time with the exception of asking me to provide documentation of every training that every pretrial staff member had attended since the inception of the program in 2015. I have approached her three times since then about taking action, and have again been told *not* to do anything. I believe this is not only setting me up as manager for sabotage, but the Pretrial Services Program, and potentially the County as well in addition to not addressing an issue that would be absolutely unacceptable. Most recently discussed on 6/27/22 with Andrew Sawtell in attendance.
● CW told me that she's been asked to speak publicly about PTS, but has declined the invitations because she does not support the pretrial program. She also stated that she's reported to the Executive's Office that she does not support the program. (May 2022)
● 5/23/22, CW stated she would be presenting at the 5/24/22 Tier 2 meeting and that I need not attend. I subsequently scheduled an APPR planning meeting at the same time (for which I was the facilitator). I emailed the meeting organizer to tell them that CW told me not to attend. While I was in my meeting on 5/24, CW came to my door 3 minutes before the Tier 2 meeting and asked me to attend. I told her that I was unavailable at that moment but would join when able. When I finished my meeting, I rushed to the Rainier Room, the presentation had just concluded and a number of members of the Exec's Office laughed that I had "arrived just in time." I felt embarrassed and sabotaged given the content of prior conversations with CW about the stability of my employment and status of the program. When I later discussed this with CW (7/7/22), she told me that she informed everyone at the meeting that she directed me not to attend. According to Justin Joyce who attended the mtg, this was an outright lie and that she had announced that I

was “unavailable.”
● 08/05/22, I forwarded a request for permission to travel to National Association of Pretrial Services Agencies (NAPSA) Annual Conference (9/19/22-9/21/22) after being asked to present on pretrial work being done in Pierce County. CW asked to meet as she wanted to know what I planned to say. We met on 8/11/22 and I presented my key messages, the pre-approved training budget, and she approved my attendance even with the government rate no longer available at the hotel. After no further discussion on the matter, CW sent me a Teams message on the first day of her vacation (9/1/22) stating that she no longer approved my attendance and that we could discuss it upon her return as she did not want to discuss it over email or Teams. I emailed the organizer and told them that I was no longer able to attend. After no additional discussion, when CW returned to the office on 9/8/22, she stated that being in Texas for a week allowed her to decompress and “gain some perspective” that she “needs to trust more” and that I was allowed to attend the engagement. I did not attend as the travel was in less than 2 weeks, I had canceled childcare arrangements, and I felt that my professional reputation had already been compromised.
● CW has criticized the PTS program to me, stating that staff are not doing enough to ensure that people are involved in community-based services. I’ve repeatedly explained to her that PTS cannot mandate services, although we can encourage participation in voluntary services. To do that, we need a safe and confidential space to build rapport with participants to have these discussions. Although $60,000 was approved in the 2022-23 budget to remodel the imaging section of the Clerk’s Office and expand the pretrial area to include confidential interview rooms (as opposed to one walk up window and one small interview space in which people do not feel comfortable using post-pandemic). CW has informed me that the caliber of work in Pretrial Services does not warrant the dollars being spent on these improvements.

Disparate treatment of employees:
● Upon her arrival, CW held 1:1 sessions with staff from every section of the office with the exception of Pretrial Services.
● During PTS Case Coordinator recruitment (08/16/22), HR informed me that HR determines minimum qualifications and only passes through those who are qualified based on job description. At CW’s request, I relayed this information to her as I knew of at least 1 internal candidate ([redacted]) who was not forwarded to the hiring manager. During CW’s recruitment for the Business Analyst 1, which occurred within months of the PTS recruitment, an internal candidate was not forwarded ([redacted]). CW contacted HR and directed that the internal candidate be included and was later hired for the position. This has caused division in the office as staff are not being treated equally.
● CW has said that I keep PTS separate from the rest of the office and that I need to integrate myself more; however, she holds manager meetings for the Clerk’s Office to which I’m not included.

Indiscretion, unprofessionalism, gossip, and triangulation:
● I have had multiple line staff (Sarah Schaub, Becky Ahquin, Danielle O’Galleher, Emma Gaddis, Justin Joyce, Grace Beardemphl, Chris Hutton, and Amanda Perez) in the Clerk's Office tell me that CW has spoken negatively of Pretrial Services to them. Specifically that CW is

"gunning for me," (Danielle O'Galleher in June 2022) and that she's also informed Danielle that Andrew Sawtell and I are under timelines to maintain our employment and "every conversation that they have ends up turning into her speaking negatively about PTS," stating "I don't know what it is about you or pretrial, but she does not like you."
● 6/27/22, at the conclusion of the PTS case audit, CW thanked Andrew Sawtell and me for all the work we do, that she appreciates us both so much, and that she trusts us because I've never done anything to betray that trust. Danielle O'Galleher later expressed surprise when I conveyed that the conversation went well because CW told her that she was going to "tear you apart" immediately prior to our meeting.
● 6/27/22, CW relayed a story to Andrew and me about attending Washington State Clerk's Association Conference where a representative from AOC presented on kindness, forgiveness, and spoke about her daughter being bullied at school. The speaker later made an offhand comment to CW during the break. CW stated that she confronted the speaker individually and said that the bullying of her daughter likely started at home. She laughed, and seemed to proudly state that the speaker struggled when it came time to present again and finished in ½ the time that was still allotted to her.
● Danielle O'Galleher also disclosed to me that CW informed her of allegations of racism by PTS staff related to the March 2022 incident. (June 2022)
● Danielle O'Galleher disclosed that in June 2022, CW voiced her anger regarding the outcome of a misconduct evaluation concerning Chris Hutton in which she reported that HR did not make any recommendations for disciplinary action. (approx 6 weeks later, Hutton was served with notice of suspension)
● July 2022 Sarah Schaub indicated that CW has again been speaking negatively about PTS and she was surprised to hear that CW allowed a backfill position to be posted as she believed "[CW] would like to completely get rid of the program."
● Grace Beardemphl reported in every conversation, she feels that CW is "trying to pump me for information when I don't know what she's looking for." (9/22/22)
● Sarah Schaub stated that CW reported an explanation for a process did not make sense to her, so believed she was being sabotaged. (Sept 2022)
● Although CW has told me that she's informed the Exec's Office that she doesn't support the PTS program, during my 10/10/22 conversation with Dan Grimm, he indicated that he can't recall her ever saying that and she's generally spoken positively about the program.
● 10/24/22 Tier 2 meeting, CW reported to Bruce and Exec Team that the increase in LINX accounts was due to teenagers opening accounts and that there's been an increase in males filing for civil protections orders. Neither of these statements are true.

I have attempted to discuss matters in which I have felt attacked with CW; however, those conversations result in an inappropriate response where she will become emotional or defensive, and with no real resolution:

● 5/11/22, I approached CW and told her that being repeatedly told that your job is in question with no measurable outcomes and her continued internal and external criticism of the program, breeds and environment of anxiety and mistrust. She stated her statements about my employment

remain, and she continued the conversation in an open hallway in front of Eve McKay and Hallie Ramlo-Kinne, telling me to "let the anxiety go, because I can see the stress on you." I indicated that was difficult given the content of prior conversations, she responded, "I get that" and walked out.

● 7/7/22, I approached CW regarding her sabotaging me at the May Tier 2 meeting. CW cried and told me she would never sabotage anyone because she's been sabotaged before. She told me that I walk the walk and am professional to the nth degree and that she would not portray me as anything but that to anyone else. CW continued to cry, stating that this job is harder than she thought and that she expected to have a better understanding of the office, the job, and processes by now. She also indicated that she would not talk badly about someone behind their back and she figuratively "prefers to stab someone in the chest," and that she's "just trying to make it to Dec 6th" as she told herself that she would stay for 1 year.

● 9/8/22, I again brought up the subject of sabotage with CW as I felt like my professional development and reputation were under attack regarding her backtracking on my approval to attend NAPSA. She became defensive, stating that she discussed the matter with her mentor in the Exec's Office (Alice McDaniel) who said that it was "a no go" for me to attend. I pointed out that being invited to speak at a national conference was something that should be celebrated. CW responded that she has other problems to take into consideration beyond just an invitation to speak at a national level and that she "has felt resistance from me since day one." This belies prior conversations in which she compliments the work that I'm doing, my professionalism, and my dedication and had no relevance to either the conversation or my approval to attend the engagement.

My hesitancy to come forward has been extreme fear of retaliation or of appearing as a jilted Clerk candidate. I expect CW will feel betrayed and sabotaged by this; however, I'm concerned about everyone's physical health and wellbeing and the ability of staff to maintain in an office under this level of discord, aggression, and anxiety. I understand that she is under an immense amount of pressure, but this is not an environment where people thrive, feel valued, or safe. It is pervasive, energy and productivity draining, and lacking integrity and support.

The ability for staff to focus on their daily duties and tasks have been severely impaired by CW's behaviors and interactions. The environment is distracting from the good work being done and specifically a program that I am incredibly passionate about. We're still moving forward with pretrial initiatives and successes with the support and participation of the Superior Court, Prosecuting Attorney's Office, Department of Assigned Counsel, law enforcement, and community members. This has been difficult, but I do this despite knowing that CW is actively trying to sabotage the program by continuing to speak negatively about it, or without knowing if either PTS manager or I will still be with the County in the next few months based on her threats. Her characterological behaviors are undermining, disrespectful, and a hindrance. This is an office that has historically worked collaboratively and is now beginning to receive feedback from outside of the department regarding the apparent culture shift and a decrease in the historical exemplary customer service.

Regardless of her opinion and the controversial nature of the program, this program and its policies were developed by an intergovernmental oversight committee which then transferred duties to the APPR Policy Team. The Clerk's Office supervises the staff. In my 10/11/22 mtg with Bruce Dammeier, he told me that he puts his best people on his worst problems and that managing PTS is where he needed me to be. I expressed my concern that the candidate chosen for the Clerk position needed to be supportive of the program. He stated that was absolutely a consideration and something that he had discussed with the incoming candidate.

Despite my fear, I must respond to the needs of the office staff and I am deeply disturbed by what I've experienced and witnessed this year. Enough people have come to me that I feel I must stand in the gap. CW is unable to provide positive, consistent, integrous, ethical, professional or competent leadership. Instead there is a culture of distrust, suspicion, and anxiety from her governing with fear and numerous people have specifically named fear of retaliation. Although I do feel like I have been a deliberate target, others have experienced or witnessed these behaviors as well and I would encourage you (as I did Dan as well) to follow up with people in the office. Thank you.

12/14/2022 t/c with Andrea Kelley

Expressed concerns about what's documented and what's not based on fear of retaliation. Wondering if lack of documentation is having an impact on whether things can move forward. In my conversation and consultation with legal counsel, I think I'm going to be sending an email with follow up questions to you. Appreciate you're talking to me and understanding and feedback. Obviously, there's only so much we can do individually. Decision hasn't been made on what is going to happen on what I brough forward officially correct?

Allegations against previous clerk, Kevin Stock, before her time that was investigated. Why was that treated that way versus this being treated differently. Now we have people who are applying for jobs in other departments and aren't getting through to screenings. People are trying to get out, specifically Emma, and didn't get through phone screening. Second circumstance where someone has applied where it said formal education and year for year for experience that hasn't made it to the hiring manager. People are concerned they are looking to get out and word gets out they are applying.

The other question that I had, I noticed that there are a few things that I put in there that are no longer there. Where did that documentation go, what happens to the documentation that I did submit.

Not sure what do to about circumstance regard to racism allegations that she has made, and I don't know what to do about that. I appreciate and feel terrible what is happening to her husband, but message is that there is no care for what is happening to us.

Called the first manager meeting on Monday, 12/12/2022. Tuesday at all staff meeting told staff want them to work at home. Wants to be last person in building if needed. Has been at EM off and on since before Thanksgiving.

Want her to stop and be held accountable. Want her to be successful and to be able to do my job without a blanket of intimidation and disrespect.

1/10/2023 T/C with Dan G

He spoke with Andrea Kelly today. Advised her to ask CW what can she do to install trust in her performance. AK believes it is broken.

AK gave a couple instances recent where CW reached out to her saying she seemed down. AK stated she appreciated this.

Pre-trial release program – DG confused – CW and MK want to expand to do more outreach and support work. AK said we do that. Provides them with information, don't counsel them. AK thinks MK thinks there should be more diversion programs for drug offenders. They don't have many anymore. Circumstances don't justify that type of commitment.

Wants to hear how AK convo goes with CW. DG wants them to deal with at lowest possible level.

AK – Says CW talks about problems she's having others that are not in persons chain of command.

Generally speaking, AK perspective is CW doesn't talk to her much anymore. Doesn't seem to have a grudge but doesn't feel CW trusts her.

DG asked if part of the problem is difference between Kevin (inactive) and CW (active). She said undoubtedly.

DG will reach out to CWs management team starting with Emma Gaddis to get her perspective and then possibly Justin Joyce.

1/18/2023 Per JA – DG met with JJ.
1/31/2023 Per JA – DG met with EG. JA stated want to move to considering a management consultant.
2/13/2023 Mtg with DG and JA – DG will meet with CW and ensure she has everything needed to be successful. Could include a management consultant if there is interest.
3/2/2023 T/C w/DG informed about complaint related to NS. F/up with JA, CW stated she's interested in a job coach.
3/8/2023 Mtg with Billie Wright of Leneker Team and JA. JA will f/up with CW and provide her BW information.

8/28/23 t/c with Constance (CW), Alyssa, and Lisa

CW is seeking advice on how to work with Andrea Kelley (AK) as she feels AK is condescending and undermining and has not been completing tasks.

CW stated she started asking AK about numbers because of the 2024 workload study. She wanted to know how many cases were referred, what the level of monitoring is, caseload numbers. CW has been digging into numbers provided by AK and they look inflated and not true to work being done. CW stated that when she started adding things up, they don't add up. She has asked AK how she is getting totals and asked her to dissect numbers out in more detail. Examples - 944 people reporting. There is an in-custody caseload of 388 people. CW wants to know what AK and her team of 5 case coordinators are doing during the course of the day. There are 370 reporting for weekly appointments but 199 if you take our in custody.

CW said that they are not helping in-custody clients with services but AK states they check on custody status.

CW asked to have one of AK's staff to go to CRC. AK thinks it will cost money, etc. and just has excuses as to why she doesn't want to do it.

AK wanted to change name of a committee, but CW asked her to hold off. AK told judge that she can't talk about new things until she talks to him first. CW was very upset and spoke to DG about it. CW stated this is not the first time AK has done something like this. CW was talking about specific committee and to discuss it with her first to ensure on same page. CW stated that AK overextends herself. Great with ideas but implementation not good. She has previously spoke with AK about this.

CW stated that when AK doesn't complete something she states, "I forgot," or "it slipped through the cracks" – this is what she says when not following through.

CW stated that AK is new in her position and Finance is asking what enhancements have been done. CW can't see any.

AK says she's only doing one third of the job. There is no diversion program. Social services manager is what she is really doing – prior job title. Pre-trial piece gets pushed to the wayside, but it is vital. Hard to justify if not providing people with the support they need.

The lowest level is reminder calls. A person was release for unlawful use of a firearm but there is no check in required, just a reminder call. 1.5-2 months after released, he's back on a murder 2 charge. Perception is important. How do you maintain contact with this person. AK says if they call in, we will handle.

CW wants to know how to better communicate with AK.

CW suggested to AK that they use a self-sufficiency matrix when client comes in. It comes from that individual about what they need. AK has not used. Primary focus is getting individuals assessed through the PSA. CW's focus is to make them better than the way they were when they got arrested. If not able to find stable housing, partner with agencies to get it.

CW told AK that she didn't think she was doing enough for these people. AK is focused on the data. CW says she has been saying all of this but it is not getting through. Trying to express to AK that if they refer 10 people and only one takes advantage of services, that is a win.

AK says they are having long conversations with clients. CW pulled phone logs and calls are 2.2 minutes long. Can't have meaningful conversation in that amount of time.

CW has asked AK to talk to staff but when CW talks to AK's staff, they haven't heard information. Lack of information trickling down. Had one staff member volunteer to go to CRC. District court can put an office space together for them.

CW has been having this conversation for over a year and nothing is happening.

CW asked AK for a workload study – AK contacted a company and quoted their fee.

Concerned about AK's workload, misrepresentation of statistics, lack of initiative to be innovative in a role where we have the ability to provide services to people – have ability to have meaningful relationships with individuals and utilize the services that are there.

Advice:
Suggested that CW have conversation with AK to let her know the vision for her work unit and that she will be working with her and her team to move the vision forward. Suggested that CW stay away from language that would cause AK to feel threatened like some of the statements above but to focus on helping her and the team be successful moving the new vision forward. Described ways to have meetings with AK and the team to brainstorm ideas while interjecting her own ideas such as CRC and self sufficiency form and have team discuss ways to move forward including statistics to show their work. If not this, then something better approach.

CW stated she liked the advice and would reach out again if there were additional concerns.

9/14/2023 Melissa Arnold Meeting with Andrea Kelley

- AK has concerns about meeting alone with Constance because she said that she never knows what the meeting is about. Her emails are short and curt about discussing things in person. Sometimes the meeting will be short like “great idea” while other times it will be more serious. Gives AK anxiety not knowing what to expect.
    - Advised AK to ask Constance for an agenda or an idea of what the meeting will be about in advance so she can gauge if she wants someone to attend with her or not.
- Never knows when Constance will be in the office as she removed calendar permissions. AK sees her about twice a week.
- Constance did not inform the staff RC4 [redacted]. During a management meeting, Constance said that Melissa and Tyler should not be out at the same time because there needs to be a manager present. Their vacations were pre-planned and approved before RC4 [redacted].
- Advised AK to document her concerns and she said she will, but others feel that it is futile.

9/27 tc w - Andrea Kelley & Alyssa Cavanaugh

AK: I think I'm going to turn in my resignation. I can't stand her lies and manipulation. RC4 I have a fear of, it's hard to say if it's retaliation because she's treated me like this for years. The Judgments section told me Danielle is no longer with the County, so I sent an email to CW and highlighted a bill I sent last week because Danielle is the one to handle it and said "hopefully you have the access in Workday." She responded that RC4 she was not able to tell me Danielle left. She's had two meetings over the past year with Tyler and Melissa and one was last week to tell them Danielle is leaving. She left me out of that meeting, but it's my fault? She complains that I isolate myself but leaves me out of things. It's a pervasive, psychologically unsafe environment. That's why people are leavving. We lost Trisha, JJ, now Emma is out because she's been doing the job of four people for the past year.
I told Constance last year that Emma needs assistance and she agreed, but here we are a year later RC7 It sucks to hear HR say "yeah, I get it" or "we know there are issues" but nothing is done about it. Why? Is somebody telling HR they can't do anything? If that's the case, maybe it's a whistleblower complaint from HR. Four people have made complaints and they go nowhere.

AC: I understand and I'm not privy to those decisions, but I can try to get more information for you.

AK: Yes, please. If I submit my resignation, do I have to give it to Constance? Or can I go to Dan since she's out?

AC: Let's check the AGs. 3.30.040 says it must be in writing to the department director.

AK: That's Constance.

AC: If she's out, I think you've fulfilled your obligation if you send it to Dan with a cc to Constance.

AK: I might have to do that. Luckily I can leave but not everybody can and I'm not the only one who's miserable. I feel bad for the people who are stuck here. I love my job, RC7

AC: I get it, you need to take care of you. If the EAP has not been suggested before, they are a good resource. What can I do to support you?

AK: RC7 . I think the Clerk's office is going to go under. Attorneys are not being paid, there's some money in a trust and they're having issues, I don't know, I'm not in judgments, but it's not good. The reconciliations aren't being completed, it's bad. If you can find out why nothing is being done about this that would be helpful. I need to decide about resigning.

AC: Will do.

Chronology

February	• Said JJ, EG, and AK were the three people in the office that CW could trust. • "I make a great friend, but I make an amazing enemy." • I don't fire people, but I make an environment where they voluntarily leave.
March	• CW makes comments about how stressed she was and very emotional. • "Everyone speaks very highly of you and I don't see it." Referring to AK. • CW did a job shadow of an employee and said he called white people in the jail sir/ma'am and anyone of color called by their name. CW was furious but didn't want to do anything about it.
April	• Allowed AK to hire Andrew. Told AK that if she didn't see them stepping it up in the next six months, would be having very different conversation. She didn't want to wonder why she hired them both. • CW said would have written expectations by end of week but has not provided any. • 4/29/2022 – CW interaction with Hutton that led to NOS.
May	• 5/18/2022 – AK Interviewed for Hutton investigation • 5/20/2022 – AK initiated f/up meeting – concerned about being a witness and provided clarity on isolation and meeting allegations. • Tier 2 meeting. CW told AK not to come. Called 3 minutes before meeting and told her needs her to come. Had a meeting conflict. CW told attendees that AK wasn't available to attend. Spoke with CW about her concerns of feeling sabotaged. CW cried and denied. • CW has told her she has told the execs office that she doesn't support the pre-trial program.
June	DO told AK that CW said she was supposed to have staff back in the office and that she's not complying with a directive from January. CW never gave the directive and if she did, she never followed up in six months.
July	• RC7 [redacted] • DO (separated 7/15/2022) was CWs confidant and has contacted AK since and told her things that CW shared about her and others that she should not have shared with DO.
August	8/11/22 CW gave AK written approval to attend conference at the higher rate. 9/1 sent AK an email that she was no longer approved. CW returned from v/l on 9/8 and told AK she'd changed her mind and could attend. CW stated she was concerned about AKs presentation and whether she was prepared to answer questions.
September	• "You've been resistant against me since day one." Triggered AK to make calls to exec and legal counsel. • 9/6/2022 CW received copies of Hutton investigation docs.

October	• 10/14/2022 AK reached out to MA. Looking for advice on what to do with concerns. EEO/WB, other.
	• 10/18/2022 T/c from DG re: AK. DG met with AK on 10/17. Indicated AK stated the following:
	  o She has notes of conversations with CW.
	  o Others in the office would have similar comments.
	  o CW has made numerous statements such as "If you don't do what you're told, you will be fired."

	○ AK stated these statements are chronic and significant and have been made to a number of people. ○ That when AK has asked CW what her expectations are of her, CW has not responded. DG requested an initial assessment and discussion with him after completed. • 10/24/2022 and 10/26/2022 meeting with AK. F/up conversation with JA – No action needed at this time, do not pursue further.
Other	AK has had employees tell her negative things CW has said about her.
	People have told AK they are scared to come into work because of anxiety attacks, people reaching out to EAP, and taking leave.
	Believes that CW is super overwhelmed and under prepared for position. Larger department, more staff to supervisor, more programs, larger budget. When feeling overwhelmed, CW lashes out.
	CW said she no longer has an open-door policy because people were bringing her too many problems. Employees told to schedule time on her calendar, but they don't have access to her calendar and never know when she is working from home, when she will be out, or when she is on vacation.
	CW has not had a management team meeting with everyone present since she arrived.
	Years of service awards received from HR before CW started, told CW could hold them until she started to raise morale and she said yes, hold them. They still haven't gone out.
	CW responded to an email that she was glad AK reached out to HR "as a good manager should."
	AK forwarded CW information about needing to renew badges. She responded back saying thank you and that AK needed to follow the procedure. AK told CW she had just found out today and CW again responded that AK needed to follow procedure.
	When CH was suspended, people knew about it, but CW never told the management team. They had people asking questions and they didn't know what to say. No direction to leadership team from CW on what to say.
	• CW has said she is always testing people to find out where weaknesses are. She said she tells nuanced versions of stories to people so if it gets back to her, she knows who is talking. • CW told AK that she told EG about her promotion a week early to test her confidentiality.
	DO told story that CW called her son's girlfriend when she was threatening to get a protection order that she knows people and that your parents are undocumented.
Whistleblower Concern	$60K allotted in the budget for remodeling pre-trial area. Approved in budget prior to CW arrival. Not getting the remodeling, stated doesn't see the need for it. Won't approve until sees program worth. 2-3 years off. Remodel intended to create private conference rooms to work closer with clients as requested by CW.

AK mtg with BD @ CCB – November 14, 2023 – 1:00 - 1:30 p.m.

County: Bruce Dammeier (BD), Andrea Kelley (AK), Spencer Fishback (SF)

Start at 1:04 p.m.

BD Good to see you.

AK Good to see you too, thank you for meeting with me.

BD I hope upstairs is treating you well.

AK Yes, unexpected but good. It is absolutely going to be a challenge. I enjoy challenging things. I appreciate you meeting with me. I wanted to talk about a couple thing. I assume you're aware that I've spoken with your office and HR?

BD I knew you've spoken with Dan and HR, but don't presume I know the specifics. That's what today is for.

AK I wrote notes, I work better off notes so I don't get too far off. I met with Dan probably about a year ago and provided HR, referred by Dan, provided them what I thought was bullying, poor leadership with Constance. In my last count, it was 18 people who have left in the last two years. Some old staff, some new staff that she has hired. The history with the Clerk is no secret. The largest reason why I left is that I didn't see there was going to be change. I tried to work with her as much as I could. RC2 soliciting HR's help for tactics on how to approach her, and I also obtained professional coaching as well to help manage up. RC7 It was unsafe.

BD Do you mind if I ask questions - unsafe? Physically or emotionally - -

AK Psychologically.

BD Okay. Thank you.

AK With the help of my husband, and his intervention. I left the office without an offer, without a written offer from council RC7

BD RC7

AK Correct. I am a healthy gal. RC7 My husband asked "how long am I going to do this?". The characterological behaviors are not good.

BD The what was that word?

AK Characterological, the behavior. HR has told me that the documentation that I have provided isn't enough and they're "giving me a hug through the screen." It is

dehumanizing. In your townhalls you say reach out and that you have an open door policy, HR says to reach out if there's a concern. They know about it, but they haven't done anything about it. Multiple staff have reported to HR. HR tells us to keep documenting, but it is exhausting and futile. The pervasive environment, the staff doesn't have the energy to continue to document. There is targeting, bullying, isolation she talks negatively about staff to other staff at the public counter. She has thrown "fits". I have documentation if you would like it. I want to secure to future success of the team. I attempted to assist in my transition out of the office. I provided 4 weeks' notice. I provided her a list of things to look at/need to know and prioritized them. She responded on October 6, beyond that I did not have any other conversations with her. She cancelled one of the meetings I had after that and then didn't show for the other, the day before my last day. I intentionally did that, one of the previous fiscal managers who left, she said that he deleted files before he left. I wanted to make sure she wouldn't say the same thing about me. She has access to Teams channels and everything. The other piece, staff being drained, she's not honest. She's not an honest person. She has lied in Tier 2 meeting and lied about stats, lied about staff deleting messages. She has said that we can go to HR but she will lie, she has told us that she will lie to HR and say "who will they believe, you guys or me?" The judgement section - I don't know that section, JJ, Justin Joyce, left and went to District Court, Danielle was hired, she's now gone - she quit the County. In September Danielle said they were 45-days behind on reconciliations and then she left. Unclaimed property, I again don't know anything about those either. I am concerned about the Trust account, it's a pass through the Clerk's Office. I don't know if it's being balanced out every day. I would encourage - - for you not to be blindsided. The Court of Appeals, Emma who is no longer with the county after 27 years, she and one other person did Appeals, then Emma was promoted to Deputy Clerk, and she was doing both. That was something that she knew that Emma couldn't do it all. There is one other person, Chris who's time was split between Appeals and Exhibits. I have concerns. I don't want the Court of Appeals to call and criticize appeals because he's only putting in half time because he's doing other things. We have also seen a lot of turnover in the Business Analyst positions, 1 and 2. The Business Analyst do the LYNX helpline, one or two people do that. The Business Analyst 2 does all the programming and software, and the Business Analyst 1 does all the hardware and helpline. The 1 has been vacant since June of last year, those positions report directly to Constance. Danielle [Scott] went in and quit, Karisa [Wessling] went in and quit and went to a local law firm. So, Sarah has been trying to do all of that now. I worry about customer service. If you have a legislative mandate you have to do that, and then everything else gets pushed. Blake legislation has been impacted. I have heard there are 4600 items in queue. Mandatory protection orders have to go out, warrants have to go out. If you have staff that are constantly leaving. Those things that aren't fires just pile up.

With all of that, I want to express my gratitude and thanks. The Clerk's Office has been my greatest professional accomplishment. I appreciate you and your historical support on it, as controversial as it is. We laugh because judges, defense, and everyone is agreeing to things in the same room. Systemic change is happening. I felt good in the work I was

doing and the making it a better, a more equitable place. It has been the most rewarding opportunity. It is also - it blows my mind that 8 years ago it didn't exist. Now, the court calls on, and defense, and the community calls us. It's a really good team that can withstand the ebbs and flows. I really appreciate the support and sticking with us.

The other thing, I am excited to be working with the council and excited RC7 [redacted]. I am going to pray for Constance, I can't imagine that someone who treats people like that is happy. I wish her for the best, I want the office to continue to succeed. That's all I had.

BD Thank you. First of all, I am glad you are justifiably proud of the pretrial program. It was innovative, it was effective, it took a lot of people, in a world that likes structures and disciplines, and to get a variety of people to agree to things and it proves. It is smart justice. I am glad you feel very good about that. I appreciate the commons in the spirit of the Clerks Office being successful, it's what we all want. We will continue to work on that. I wish you the best on the 10th floor. More importantly than that, I wish you health. That's where I start with you, I want you to be happy and healthy. I hope it works out on with the council.

AK I do too.

BD As I've told you before, you do good work. I look forward to an opportunity there.

AK I appreciate your taking the time and being approachable.

BD Anything else?

AK I don't think so. Thank you.

Ended at 1:24 p.m.

Internal reference of sources for crafting: EG mtg notes, AK mtg notes, chronology doc, conversation script not used doc, 2022-10 Anonymous Complaint, 2023-05-31 Anonymous, CH file: AK intake nts; JJ intake nts.

- **Behavioral: bullying/abusive/intimidation/aggressive/toxic work environment**
    - It has been reported that you told staff that "I don't fire people, I make an environment to make someone not work here." (EG mtg notes, chronology, conv script not used)
    - "I make a great friend and an amazing enemy." (EG notes, chronology doc, conv script not used, AK intake nts from CH,)
    - It is reported that you told an employee about their promotion a week early to test confidentiality. (chronology)
    - Pinning employees against each other. Tells staff nuanced versions of stories to different people, so if it gets back to you, you know who is talking. Example was early promotion "test" to see if the promoted employee would say anything. (conv script, anonymous complaint)
    - It is reported that you lead with emotions and lash out and have had "fits" in the office. (AK mtg notes, conv script)
    - Emotional person. An emotional reactor. (JJ intake nts from CH)
- **Presence/Reliability**
    - It has been reported that you are not present in the office and because of your absence you are unaware of most of the work that is being done in the office. Most of the time she's not in the office, never had a clue whether she will be in the office or not. (EG mtg notes)
    - Long-term employee's departure, you no-showed/cancelled last meetings with them, did not learn their jobs prior to their departures. (EG and AK mtgs notes).
    -
- **Communication**
    - Internal candidate who applied for the fiscal manager position was not informed they did not get the job. (EG mtg notes)
    - When an employee was suspended, all of the staff were informed, but you never told the management team. No direction to leadership team on what to say. (chronology)
    - Did not hold meetings with all of management present since started at County. (conv script)
    - It has been reported that you have talked negatively about staff to other staff at the public counter. (AK mtg notes).
    - It has been reported that you are unapproachable and have explained to your staff that your "door is not open" and instructed staff to send you a calendar request should someone need to talk to you. You further explained to staff to "come with a solution" because you "have enough

problems." Can bring ideas but not problems without solutions. If you want to meet, it has to be put on calendar. (2022-10 anonymous, 2023-05-31 anonymous, AK intake nts from CH, JJ intake nts from CH)
    - Abrasive communication style. Snaps at employees (e.g. "That's because you don't need to know!" in response to an employee saying they were unaware of something). (2022-10 anonymous).

- **Office Morale**
    - Anxiety and fear. (2022-10 anonymous)
    - Fear of retaliation. Extremely afraid. Worry about retaliation. Fear of retaliation is real (EG mtg notes, AK intake nts from CH)
    - Environment created is not one that is built for success. (2022-10 anonymous).
    - RC7 [redacted]

From: Constance White
To: Andrea Kelley
Cc: Nichole Scott
Subject: RE: Fire extinguishers
Date: Thursday, October 20, 2022 8:48:04 AM

Fell off of my radar.

I will have Nichole check the status of this and follow up with you.

Thanks,

Constance

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Thursday, October 20, 2022 8:47 AM
To: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Fire extinguishers

Any word on replacing our fire extinguisher? Thank you

From: Andrea Kelley
Sent: Tuesday, July 5, 2022 10:19 PM
To: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Fire extinguishers

Last week's fire alarm reminded me of this – any updates? Thank you

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From: Constance White <constance.white@piercecountywa.gov>
Sent: Tuesday, April 5, 2022 11:16 AM
To: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Subject: RE: Fire extinguishers

Haven't heard anything, but I will reach out to facilities.

Thanks for letting me know.

CW

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Tuesday, April 5, 2022 10:54 AM
To: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Fire extinguishers

Did anything ever come of this? We are still without one…

From: Constance White <constance.white@piercecountywa.gov>
Sent: Friday, March 18, 2022 8:18 AM
To: Chris Hutton <chris.hutton@piercecountywa.gov>; Andrea Kelley <andrea.kelley@piercecountywa.gov>; CLKMGRS <CLKMGRS@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Fire extinguishers

Thank you Andrea and Chris for noticing this. I will follow up with Facilities to find out what is going on with the fire extinguishers.

Will keep you updated.

Constance

From: Chris Hutton <chris.hutton@piercecountywa.gov>
Sent: Thursday, March 17, 2022 4:30 PM
To: Andrea Kelley <andrea.kelley@piercecountywa.gov>; CLKMGRS <CLKMGRS@piercecountywa.gov>
Subject: RE: Fire extinguishers

I just peeked over and the one by the counter is gone too. Didn't even notice and have no idea who took them or why they are gone.

Chris Hutton

Chris Hutton, Legal Processing Supervisor
Superior Court Clerk's Office
930 Tacoma Ave. S. #110
Tacoma, WA 98402
253-798-7759

From: Andrea Kelley <andrea.kelley@piercecountywa.gov>
Sent: Thursday, March 17, 2022 4:27 PM
To: CLKMGRS <CLKMGRS@piercecountywa.gov>
Subject: Fire extinguishers

Curious, did fire extinguishers get removed from all over the office? I noticed that ours was removed on Monday – We believe it was someone from facilities…? Wondering if they were all removed and whether or not they're going to be returned?

Thanks!

Andrea Kelley

Pierce County Clerk's Office
Criminal Diversion Programs Manager
andrea.kelley@piercecountywa.gov
253-798-8613 (o)
253-798-3428 (f)

Amanda Perez

2023 Events Summary - Amanda Perez, Danielle Scott, Constance White

7/24

CW forwarded email exchange between AP and DS and requested a meeting for following day. CW and AC discussed the email exchange and next steps. AC said exchange was handled poorly by both parties and AP has right to rescind her application for AA4 position. CW informed AC that DS asked AP to go for a walk to clear the air, as she noticed some contention in AP's responses. CW did not have details but knew AP talked with Emma Gaddis and would reach out to EG for more information. CW had concerns with the operations but was hesitant to force AP to continue performing AA4 duties. However, CW wanted to have a conversation with AP to understand more about what took place and AC agreed that was a good idea. CW wanted to ask AP what kind of support she did not receive/how CW can improve upon AP's experience for the office moving forward. AC agreed and suggested thanking AP for acting out of class, as well. CW also wanted to avoid forcing AP to perform AA4 duties since she expressed she did not want to continue.

7/27

CW reached out to AC due to email from DS that AP RC4 and was not sharing information. The conversation with AP had not yet taken place because AP requested union rep and CW agreed to reschedule. AC advised union representation was not necessary since CW was not pursuing discipline or an investigation. Operations were becoming significantly impacted since DS claimed she did not have the information to perform the duties. One client was owed $1,500 and the office was not able to issue the check due to access issues which resulted in a confrontation with CW at the building. AC and CW agreed that at this point it was best to give AP a directive to continue AA4 duties which the department acquired access for DS and how to transfer information to other employees in order to complete the work. AC provided insubordination language and CBA provision that AOC duties may be assigned. RC4 CW also said that AP suggested Ayana Watson as the employee to take over AA4 duties and would train her.

7/28

CW had corrected her communication with AP that she would reschedule for union representation and met with AP. CW directed her to continue AOC as AA4 and sent AC a Teams message that she did not need to use the insubordination language. CW said conversation went fine and that AP agreed but was frustrated, and CW communicated that this direction was from an operational perspective.

7/31

CW sent Teams message to AC RC4 AC thanked for update RC4

8/1

CW sent AC Teams message that RC4 [redacted]. AC again thanked CW for update and to let AC know if we need to connect for discussion.

AC later sent CW Teams message that AP called Lisa Hilligoss and we would like to have a conversation. See "conversation notes." LH, CW, and AC developed list of duties/needs for AP to complete. LH followed up with AP and communicated list of duties and training of other office employee so that they could take over duties and AP would be removed from AA4 AOC.

8/2

CW reached out to AC via Teams to discuss email exchange with AP in which AP asked if she was now being "forced back into the role." CW wanted to know exactly what was communicated by LH to AP and asked whether behavior was addressed. AC called CW via telephone and explained that behavior was not a topic of conversation, but she was given the list of duties and told that she would also be expected to train Ayana. AC also shared that AP's job description outlines behavior expectations and CW could rely on those to hold AP accountable. CW expressed no interest in discipline or an investigation. AC followed-up with an email to CW which included a link to the job description and list of duties that were given to AP.

8/3

CW sent AC a Teams message that there was now another issue with Class and Comp because Ayana did not meet the minimum qualifications to perform AA4 duties. C&C was looking into who in the office met minimum qualifications and CW wanted AP to continue performing duties in the interim. AC responded that training DS was an option and CW was willing to revisit but had apprehensions about how that would be received by AP and DS. AC and LH followed-up with C&C and Carrie Frohlich advised Jerry Grabar met minimum qualifications for AA4. AC followed-up via phone call with CW that training could begin for Jerry. CW requested that labor have a conversation with AP to reiterate expectations and communicate the plan moving forward. LH called AP to check-in and told AP that she was expected to continue AA4 duties until Jerry is fully trained. AC sent CW a Teams message that conversation with AP was complete but to reach out if more is needed.

8/8

CW reached out to AC for another conversation due to challenges with AP. Email exchanges had taken place where CW was requesting AP perform daily reconciliations and share information, notes, etc. that she used for AA4 duties. CW was adamant that AP was withholding information and resisting, and CW would like to instead contact Juvenile Court to request that Tricia Reed, former AA4 in the Clerk's office, assist with training AA4/FSM duties to maintain operations. AC advised that this was fine, but that AP was given direction and, if that direction is not being followed, the department could hold her accountable. CW was not interested and wanted to avoid inflaming the situation further, and felt TR was a neutral party who could help the office

resolve the operational issues. AC advised moving forward with exploring assistance from TR was fine.

8/8
AC received email from DS requesting help with filing a complaint against Justin Joyce and Amanda Perez. AC responded that she would setup a meeting to discuss and immediately sent Teams invite for 8/10 2:00-3:00p.m.

8/9
DS sent AC an email and attached a written complaint against AP and JJ. In her complaint, DS cited Title VII and ADA violations. As such, AC responded to the email on 8/10 informing DS that the complaint had been referred to the County's EEO/ADA Officer and AC would be canceling the meeting for that afternoon. DS responded with an email that communicated immense frustration with HR and that her complaint was being met with "apathy." AC forwarded the chain to CW and asked to discuss. CW did not respond, so AC followed-up with an email to DS 8/11 that if she has immediate safety concerns, to contact CW or AC immediately (CW was cc'd).

8/11
CW reached out to AC after email response was sent to DS and CW/AC connected via Teams. AC asked CW what Labor could do to help with DS's frustrations and offered a mediation meeting with CW/DS/AP/AC. CW declined. AC also explained that, throughout their conversations regarding AP, AC has not heard CW express interest in an investigation into AP or discipline for her actions when AC has offered, and that Labor would not pursue either of those without the department's desire and approval. AC also said if there was a misinterpretation by AC of the direction CW wished to pursue, she apologizes. CW confirmed AC's understanding and said repeatedly that she just wanted AP out of the equation (acting as AA4), as CW had stated in several meetings prior. When AC suggested CW offer support to DS and instruct her to stay focused on the tasks at hand while HR processes the complaint, which is not an overnight solution, CW said she has done that on more than one occasion. CW did not wish to enlist the offerings of HR support and said she would be in touch next week after she knew more about the training she was pursuing from TR.

8/14
CW sent AC a Teams message that Juvenile Court agreed and TR was able to train DS today, but she feared it was too late and DS would be leaving the County. CW said she would be sending an email to AP in the next hour in regard to the reconciliations she was performing 7/7-17, training Jerry, and the overall goal of removing AP from AA4 duties. AC thanked CW for the update and offered discussion, but CW did not pursue. However, CW sent AC a draft of her email for review. Since the email seemed to rehash past events and make accusations, AC

responded with a much shorter message for AP to avoid further negative email exchanges. CW thanked AC for input and used AC's email to send to AP (AC was cc'd).

8/15

Due to email exchanges between DS and AC regarding the complaint submitted by DS, CW requested an in-person meeting. The meeting took place that afternoon (see "Conversation Notes" and DS complaint folder).

8/17

CW sent AC a teams message requesting to talk. AC was in a meeting and, at the same time, an email was sent to AC and LH about issues with AP. When AC was done with meetings, she reached out to CW via Teams but LH had responded to emails so CW responded that a discussion was no longer necessary.

8/28

CW reached out to AC on Teams indicating she had an on-going challenge. AC setup meeting with CW and LH. CW raised Andrea Kelley; that she's condescending and undermining. There are certain things CW is asking AK for: documentation re: number of individuals referred to pre-trial services. Directed her to complete workload study. She's been providing statistics for monitoring and caseloads. The numbers she's providing are not true, they're inflated. She says we have 944 people, however the in-case custody total is 370. If we're not monitoring, we should take them out of the equation. Then 370 goes down to 199 if we take out in-custody. We're not helping them with services. I want one staff to be stationed at the CRC. AK had a meeting with Judge Rumbaugh and he was asking for ideas. She said can't talk about new things until she talks with me (CW) and now he wants my email. This is not the first time, she has done this with outside agencies. She forwarded an email from me to the agency and when I asked, AK said so they could see what she's dealing with. There have been no enhancements or improvements since her promotion. CW wants to communicate differently and needs advice. AK says she's only doing 1/3 of her job. The Clerk's office doesn't have a diversion program which is AK's title; so she ends up being a Social Services Manager. She's getting agencies together to determine funding management, pre-trial gets puts to wayside. She's good at getting people together. The lowest level of monitoring = reminder calls. AK says we can't do what I'm suggesting because it's determined by the policy team. We haven't approached a conversation with the policy team. I have asked if AK has tried a self-sufficient matrix which covers safety, food, housing, and family needs the individual can indicate. AK said no, CW asked why. AK said primary focus is getting people assessed through PSA. CW keeps saying we need to provide better services. CW doesn't think AK is doing enough for people in pre-trial services. CW trying to figure out how to get through to AK. CW pulled call logs, average is 2.28 minutes and thinks the data contradicts what AK is communicating. AK contacted company for a workload study. CW not going to ask for $30k when department can do it and expected AK to complete herself. CW also mentioned taking AK's position to class and comp for an evaluation of current pay since AK said she's only doing 1/3 of the job. CW was advised that this is threatening language and to keep any conversation about the direction of the department

positive, engaging, and to discuss the subject matter rather than disagreement over the work of the position and where CW believes AK is falling short.

LH advised CW have conversation with AK and her employees to communicate her vision and end-goals for pre-trial services. Engage the group by asking them to brainstorm ways to improve their pre-trial services program and arrive at the destination desired. Solicit solutions and listen to their ideas. LH also advised that CW integrate AK's passion for data and how to leverage the data in their process and subsequently extract it from the system to show the improvements. CW agreed and appreciated this advice. CW also later sent a Teams message to AC to inquire about the process for engaging with the union over a pilot program of moving employees to the CRC. AC responded by asking CW to inform her if/when the department has finalized the details of the pilot so that notification could be sent to the union. AC also informed CW of the process and that it's very similar to the position conversion that was handled with the union in June.

August 1, 2023

Dear Human Resources,

I hope this letter finds you well. I am writing to express my deep concern and disappointment regarding a situation at work RC7 [redacted] I believe it is my responsibility to bring this matter to your attention, as it affects both my well-being, my job satisfaction, and my concern with the lack of support I have experienced while serving voluntarily in a higher position as an Accounting Assistant 4 with the Pierce County Clerk's Office. I am currently a Legal Assistant 2 with the Pierce County Clerk's Office. Over the past couple of months, I have voluntarily taken on tasks and responsibilities that are beyond the scope of my job description.

At the end of May of 2023 and beginning of June of 2023, our AA4, Tricia Reed, and Fiscal Services Manager, Justin Joyce, from the Clerk's Office both received new positions within Pierce County. They gave proper notice about their future departures so a plan could be made on how to proceed without them. There was a conversation between Mr. Joyce and Constance White after his notice was given. She acknowledged that there was plenty for her to learn and Mr. Joyce confirmed that. She stated that she would sit with him so he could show her duties that needed to be done for the office to succeed and meet the statutory duties for the Clerk's Office to operate efficiently and legally. She did not sit with him to try and gain this knowledge. It was clear that there wasn't a plan in place for after Ms. Reed and Mr. Joyce left the Clerk's Office.

I volunteered to clear checks for the Judgments section as I used to work as an AA2 in that department. I knew that this would fall back on them as they would be receiving calls from the public, attorneys, etc. questioning why their funds were not released per court orders. I did not think this was fair and did not want them to be put in that situation which led me to volunteer to be the Interim AA4 until they hired someone to permanently fill that position.

I sat with Ms. Reed for a week to learn some duties that she did and then sat with Mr. Joyce for a week to learn daily reconciliation of the trust account, the procurement card, and how to reconcile electronic transfers that would need to be done in the absence of the Fiscal Services Manager. It was highly stressful as the reconciliation of the trust account was exceptionally confusing to me, but also critical to our office. I knew I was on my own once they had departed from the office as they were starting new positions of their own that required all their attention and could not continue to assist our office. RC7 [redacted] Numerous coworkers told me that it didn't seem worthwhile without the proper support, and they noticed how unhappy I had become.

Throughout this transition, Mrs. White did not offer any support or assistance. I was never approached by her to see if I needed anything or if she could be of any assistance to me. I

have been approached by other managers who expressed their willingness to support me if needed, even though they were not aware of the specific position and what it entailed.

Once a new Fiscal Services Manager, Danielle Scott, was hired, it became clear that Mrs. White meant for me to train her as I was still struggling learning the AA4 position and completing duties outside of that job description as well. I attempted to show Ms. Scott a duty that was hers and was informed by her that the responsibility for this task lies with the lower role, the AA4. I let her know that I would continue to complete the task as she requested. I encountered other difficulties pertaining to her and felt she did not demonstrate the level of respect for my time dedicated to training and knowledge. At this point, I had the realization that I might not be the right person to work with her. I let my boss, Mrs. White, know that I would be rescinding my application and no longer interviewing for the position. I had made the decision to pass on what was a great opportunity for myself and my family to instead return to the Docket as I was hired for that position as a Legal Assistant 2.

Wednesday, July 26th, I received an Outlook invite meeting time at 3:30 p.m. from Mrs. White labeled "Email Discussion". I felt the need to have my Union Representative present with me as I had cc'd them in my email to Mrs. White when I rescinded my application. I was fearful of retaliation. On Friday, July 28th, my manager, Melissa Engler, informed me that we were to have a meeting with Mrs. White upon her request at 1 o'clock. In that meeting, I was told that I would be forced to do the duties of the AA4 and several of the Fiscal Services Manager until further notice. I was told I had no choice, and no say in the matter. I informed her that I wasn't comfortable working with Ms. Scott and was told that it doesn't matter. I knew that other duties would continue to pile on my plate that would have me working out of class upon out of class. I asked Mrs. White what her plan was if I had never volunteered to help and she replied that it doesn't matter because that's not what happened. I was also informed that I would need to reconcile banking which had been neglected since Monday, July 24th. That is not in my arsenal of skills and a task like that would be difficult for our last seasoned Fiscal Services Manager. I felt bullied and intimidated with no one to help me in that meeting. If the Fiscal Services Manager can refuse to do her job as the leader and manager for that section, then why do I have no say when I am being forced to do hers?

I am finding it unfair and inexcusable that I have volunteered to help a vital department in our office in a massive time of need with absolutely no support, was offered the job of Fiscal Services Manager to which I declined, had to step down and lose such a great opportunity of being the permanent AA4, and am now being forced to work out of class after I went above and beyond for my office. The workplace has become hostile and toxic and no one should have to work in conditions such as these. I am respected and appreciated in my section in the Docket and do not feel comfortable working in Judgments any longer.

I have seen what Mrs. White has done to Chris Hutton, Justin Joyce, Andrea Olson, and Emma Gaddis. I know that this is not the first, second, or even third complaint that Human Resources has received against the abuse and mistreatment by Mrs. White. I refuse to have this happen to me because there are no plans in place or a willingness to learn roles that she would

have to support upon absences in those roles. It has made me regret my decision to support the office that I work in once I saw how I was treated because of that decision.

I am reaching out to HR with the hope that you can assist in resolving this matter and create a safe environment for employees to raise concerns without fear of reprisal. I kindly request that you conduct an investigation into this situation and ensure that appropriate action is taken to address the abuse of power and unfair workload distribution. I appreciate your attention to this matter and hope that you will take my concerns seriously. Please let me know if you require any further information or if there are any steps I should take during this process.

Thank you for your time and consideration.

Sincerely,

Amanda Perez

Legal Assistant 2

8/1 t/c w Amanda Perez (AP) – RC3

Wants to file complaint against clerk, Constance White (CW).

AP volunteered to step in and cover fiscal AA4 duties and some Fiscal Services Manager (FSM) duties. She was offered the FSM job and declined.

Danielle Scott (DS) was hired as new FSM. Few weeks in, AP tried to show her a duty. DS declined and told AP to do. DS didn't want to learn systems, AOC, so AP had to keep doing those duties still. DS was condescending and AP didn't feel they would work well together so she rescinded her AA4 application. Sent email to CW and copied Union rep. as she had a feeling there would be retaliation. Email stated she didn't want to do out of class AA4 duties and would go back to her docket, Legal Assistant 2 (LA2) job on July 25.

CW asked her if she was willing to continue to help and AP declined. Did not want to volunteer any longer.

During Aps time in AA4 position, CW never came over once, never asked if she needed help, and provided no assistance. Instead, CW would ask AP questions about stuff CW was supposed to know or that she needed. It was very stressful for AP as she had little training herself, didn't know what to do in many instances, and could not handle the work without proper support from higher ups.

CW asked to have a meeting with her, and AP asked to reschedule to have union rep present. On July 28, AP was forced to go into meeting without union rep. She felt highly disrespected and was told she was being forced to work out of class and do the job. AP tried to tell CW she was not comfortable working with DS. CW cut her off and told her that it didn't matter, what mattered was helping them out and figuring the work out. She was basically told there was no option and she had to do it. CW told her there would be out of class compensation. AP told CW the only thing that needed done was clearing checks and she didn't think it would require out of class. Told her other tasks, banking, were DS responsibilities. Banking hadn't been done in a week.

AP said that AA2s are doing the cleared checks now and the FSM is there to do it as well. AP showed them on Friday but told them not to send out because of the delay and she was concerned they would bounce, and she didn't know how to handle that. Only had one week to learn herself. AP said they had notes on how to do it, and they are doing it now. Banking different than clearing checks and needs to be done. JJ explained parts of it, and she was covering. Tried to show FSM but didn't understand all of it herself and would need help figuring it out as well. This is where notes and screen shots were delegated to AP by DS. Does not know what is happening with this work.

Why did she request a union rep? Meeting invite said email discussion. AP saw what CW did to Chris Hutton and what she does to others in office and wasn't going to let that happen to her.

AP was upset to be forced to work out of class. She asked CW what would have happened if she hadn't volunteered. CW said it does not matter.

When JJ left, CW said I have a lot of learning to do. JJ said yes and offered to train her. CW never came over one time and now AP feels like she's being punished for helping the office. Instead of having new FSM learn her job, CW is now making the AA2s do the job. CW was supposed to figure out how to handle investment accounts and blocked accounts, but they kept calling and AP didn't know how to do it. She sent them to CW and let them know CW was point of contact. Had to continue hearing to a later date because CW never fixed. AP sorted through information to figure it out. CW was supposed to keep statutory duties afloat. If wanted to appoint those duties, she could have but there was no one there to show them how to do it or anyone there who knew.

When brought on to work out of class, not provided any expectations. Previously worked in judgments as an AA2 but she had not done AA4 duties before. Sat with Tricia and JJ for one week each.

AP called union about next steps and steps to file a grievance. Told to file a complaint with HR.

AP called in sick yesterday and today (7/31 and 8/1). Went to doctor, too stressed out, scared, don't want to be treated like this when helped out office, don't want to be forced to work out of class and does not want to be treated the way she has been treated. Wants to go back to her prior job.

Tell me about your relationship with DS. AP showed her one duty and DS said she doesn't want to do it and AP should just keep doing it. DS asked what her duties are and what AP duties are, told her still trying to figure it out and is also still learning. Told DS there were things she needed to be training on in case she was absent – everyday tasks such as banking. DS sent meeting request for 10 am, AP declined because checks have to be done earlier. Suggested showing her on Monday as was already in the middle of doing tasks. DS came over and said I'm training with you now so AP had to shift but couldn't show DS how to do the task and was only able to explain it to her because the task was already done. After the meeting, DS sent an email that AP will do notes for her. AP tried to explain she should take her own notes so that she would learn and have something to refer to, but DS said you are doing it.

AP feels she shouldn't have to be training FSM, as she is a LA2. Trying to help her and being met with condescending attitude and treated poorly. Doesn't want to deal with it at this point. She rescinded her application because she's not the right person to work with DS.

When she tried to tell CW how she felt, CW said I told you thank you. AP did not feel CW was supportive, and she never took the time to learn any of the tasks. When AP

volunteered to help out and then decided to back out, she didn't think she would be forced to be in an uncomfortable environment.

What does this week look like for AP? Not sure, nervous to go back. AP fears she is going to be treated exactly how CW treats others and don't want to have to deal with that. CW is reason JJ and CH had to leave office. She's the reason people have retired early. The office has been a complete mess and it seems like nothing can be done. I feel completely disrespected by volunteering and having no support and no one to answer any questions for me. The only time she expressed gratitude was thank you in a staff meeting. And when I tried to tell her I couldn't work with FSM, she cut me off and said it doesn't matter. Everyone walks on eggshells at this office, and I know I'm going to have to start looking for another job as it is not sustainable the way that it is. (crying.)

AP already showed the AA2s the one thing, clearing checks, doesn't think there is anything else they need. DS is their new boss and should be doing it. Everything is in the red manual. Tried to show DS but she was not interested and pushed back.

Did not receive list of FSM duties or AA4 duties but was told by AA4 that she could help out with some duties of FSM such as banking and balancing.

Lots of stuff that arose out of checks not being cleared. Does not know how to do many of these things either. When discussing in presence of coworkers, AP stated she doesn't know what the plan is for some items. CW responded with, "I told you want the plan is, you're going to do this until further notice."

Labor response to employee
Explained lack of union rep at meeting and County practice related to this. CW in line with County guidance. Explained management ability to assign work and importance of ensuring tasks are being completed, especially mission critical tasks. Explained taking notes but can file a complaint if she would like. Explained EEO, Whistleblower, and that email would suffice for formal complaint not related to those areas. Asked for approval to speak with department to gather information. Explained could not guarantee she wouldn't be needed in AA4 capacity but would see what the plan was for transitioning work. AP plans to return tomorrow, (Wed, 8/2), and is scared/nervous. Does not want to be forced to do AP duties. Told her she would receive a return call with what to expect when she returns on Wednesday.

8/1/23 convo with CW, Alyssa Cavanaugh, and Lisa H
CW asked AP if she was willing to help, she said no. CW explained operations were completely stopped and can't make it through without her. Had over 150 checks sitting that people were calling about that were signed by judges. Needed to fulfill duties of the clerk to return money – critical.

First priority is to help get checks cleared and generated. Talked about it and AP said would only take 15 minutes. Went to desk to see how to do. AP said she lost her notes. Had several people looking for notes. CW found notes on how to do task – not AP

notes. Provided everyone instructions and had them go through. Were able to get them done. Checks have to have two signatures – wet and dry. CW electronic is dry and AP was wet. Checks generated today can't do anything with them because AP is not here to sign. Trying to get DS access through Bank of America – it is a process. Told AP as soon as get through can go back to her job.

Found out who to talk with at BoA and they have emailed the forms. Takes time to get through with all authorizations.

AP has been told to show someone what she knows. AP was shown reconciliation to get through each day. Critical to process. She was supposed to show DS and DS wanted to sit with AP.

Told AP in meeting that needs to focus on operational aspects. Not pushing concerns aside but need to get tasks done. Has told AP how grateful she was numerous times even in a staff meeting.

AP not coming in is putting them further behind. CW asked AP who she thinks would be good to know the information. Didn't want to pull in DS so that it was uncomfortable for both of them. AP said Ayana Watson (AW). AW had expressed interest in the opportunity. AW is communicating well with DS. Rest of team is rallying to get through. CW met with team this morning and thanked them.

They need from AP what she knows. Share information with AW. Sign checks until signatures go through for DS. Timeframe for completion up to AP and AW. Allow AW to go to her with questions. Don't know if AW has any vacation. Sit with her and learn, do on own and have AP check, then ask questions. Don't know what AP has access to – and will make sure AW has access. Then will know what access DS needs.

Reviewed list with CW to ensure items captured were reflective of her needs and what I would be sharing with AP:

- Checks signed.
- Checks out with concerns of bouncing – missed step.
- Daily reconciliation – Show what to do or where to go.
- Have AW walk through her daily duties.
- Have AW show her and double check work.
- Be available for questions.

8/1 at 4:37 pm t/c with AP
Provided her with list above. AP stated that she has no idea how to catch up the reconciliations since they have not been done for so long (since 7/24). Would not know how to do this. Explained that she should show AW how she had been doing it and what she would do to try and figure out next steps and AW could take it over at that point. AP didn't understand why AW was being tasked with this. Stated she is in her probationary period and AP is being expected to train her on FSM work. Told AP that CW had stated AP had said she could work with AW and that CW was trying to find a solution to her

difficult relationship with DS. AP stated she did not suggest or otherwise agree to working with AW. I explained trying to bridge the gap between AP concerns and department needs and not focused on why a particular person was chosen. Explained that she will be expected to train AW in what she knows, let AW do the work and double check it, and be available to answer questions. RC4 [redacted]

AP thanked me and didn't have any further questions.

8/3 at 3:30 pm f/up convo with AP
Asked AP how things were going since she returned to work on Wednesday, 8/2. She stated that things keep changing but that while she's not sure what the plan is, she's sure that at some point it will stick. Talked with CW about training and met with Jerry Grabar (JG) already. CW said she could train him on what is most important. AP stated she was a little confused at end of the day today because she got a message from CW with copy to HR about doing the duties. She didn't see email until late today. Stated CW also said it was okay to train JG again today which confused her because she met with CW twice yesterday about doing that.

Does JG have access to systems? AP stated that JG should have access to all the normal systems, Links AOC, BoA – Yes, he has access. Not sure if it is any different from hers. Still trying to figure that out. Will let CW know if JG needs access to anything.

I reiterated that I wanted to ensure she understood she is needed to do work while training is occurring. She understood and said she thought it would be fine.

I mentioned that I thought she was in a much better place today and she stated that she is at work and has to be professional. I reiterated the need to be professional while at work and that it would make the situation better for everyone. I also told her to reach out if needed and that someone would be in touch regarding her complaint.

August 15, 2023 re: Amanda Perez
Judy Archer, Constance White, Lisa Hilligoss, Danielle Scott, Alyssa Cavanaugh

CW I have asked for all of us to get together to try and figure this out and put some plan of action in place to get some resolution for the things that have taken place in the office since July 21, I believe. When AP decided to go back to her regular position as LA2, taking whatever information and knowledge she did with her during the time she was trained. I do understand and respect some of the information she may not have been taught but there's a lot of info she was shown because she did the job from 6/7-7/24-25. There was a whole month that she did this job and these duties. Then all of the sudden I get an email that she's going back to her position and said it was due to her not getting appropriate support. Not knowing what appropriate support means, never had opportunity to have a meeting with her. This has been beyond crippling to this department. Wanted to meet to figure out impacts this has had on this operation. I think you nee to understand the impact to drive the resolution.

JA Can I suggest we start out how to resolve current problem? That will influence how we handle the impact. On-going? Done now and only looking historically? Do you have a way to get this work done without including her short/long-term

CW No.

DS I wrote this down very clearly. JJ left, no information about my role or hers or my other staff. Only person who knows is Amanda who then walked away and said I'm not giving you any of it. The only thing I have is what she has that says I'm taking this with me and I'm not giving any of it. Very deliberate, intentional. Holding all the cards. When asked what she's training on, doing interpreter invoices. Not high importance, something I already know how to do.

JA Last time you (CW) and I talked, somebody from TJ's group was helping.

CW Was able to come Monday 9-11/11:30.

JA Training?

DS No training, just telling me what I needed to do. I was asking her what I need to be doing/AA4, here are questions that she was giving clarification.

CW Scheduled to come today but she couldn't. Might be able to come back Thursday, not sure yet based on her schedule.

JA Have you asked Finance for anybody?

CW We have gone through everyone in Finance – IA, AR, Budget, asked for assistance. The challenge we're having is banking reconciliation. We're unique, have to go through ALC, JIS, and our banking. Finance can't help us because they don't have access. Even if they did, they wouldn't know what to do.

DS Took me weeks to get access.

CW Not simple banking. It's the fact that she knows where to go and how to navigate. We need information she has. I've asked for notes, doesn't have any/lost. This is challenge. As far as me going to her and asking can you please help, she says no/not going to. In that tone. I have to come back and issue directive. Then I communicate and say can you work on X, X, X. Are you forcing me back into this role? Directive was never lifted. Still being compensated. All these days have gone by and she said don't know where to start on reconciliation. We don't know where to start. You have more knowledge than we do to at least expose us, what would you do on days on you came in? What did you do? I don't know, I don't know. No way I can unravel all that.

DS This is the part that was upsetting. She was doing reconciliations and getting statements. When I asked what bank accounts, statements she says I don't know. Deliberately not giving information.

CW All we want is the information.

LH We can order her to give it, no way for us to extrapolate information she is not willing to give. We can hold her accountable.

CW When, not if, when. When someone files a content charge against me because I'm not performing duties I am supposed to due to information she's withholding, are you going to come to court with me?

LH I don't know how to force an employee.

CW I need answers. Do I need legal representation? This is what's going to happen.

JA Ask DPA. They typically defend employees.

CW I don't know at this point who has my best interest.

JA That's technically, they're supposed to represent us when doing when County work. If in scope of County work, you're trying to be compliant with law, they need to answer that. I can't.

LH There's a chance you'll get some complaints from her if we take stringent approach which is what Alyssa talked you through with subordination language. We could send her a directive with a deadline and if her reasons for not complying are less than what we believe is the truth I suppose we could do an investigation.

JA Forcing people to sit and do nothing will drive them to insanity. Before the unhappiness began, she was doing for 8-hours/day? Instruct her she is to sit at that desk and do that work, not her LA2 duties. She can't do anything but that. Only activities to get body of work completed. Write how-to notes, nothing other than finance piece she's getting OOC for.

DS I don't understand why someone is allowed to say I have institutional knowledge, I refuse to use it or share it, you can't write checks, the public is upset, not following law. Why is that okay?

LH You've had conversations about whether to pursue discipline.

CW I'm still new to this whole process. In Texas, this person would not be working here anymore. Here, very different. I gotta jump through 99 hoops for an employee to come to work to do their job. I understand there's a process. This has been my life for almost two years. This has been my life dealing with employees that have done whatever they want to do whenever they want to do it. I'm the one that continues to suffer but I'm supposed to be sensitive. I've done that, keep doing that. Want to be doing the right things, want people productive. I don't want to lose my employees.

LH We rely on your assessment to help you make a decision and next steps.

CW I can admit there's a fear I have and fear is, we continue to move along and she's already shut down. I don't know how much more she can shut down besides refusing to show Jerry anything. She's only person that has this information. Am I walking on eggshells? I am. She knows that. She is empowered by that.

JA Has anybody asked JJ? Would he know how?

CW Let me explain something about Justin. DS reached out to him early on, he's never responded. JJ's words when he left to my face was when I leave, this office will fold/shutdown. And that is exactly what is happening. He chose to leave then go forth and prosper.

LH If you need somebody, it might be a resource that would be helpful.

DS He's taken our files and left us nothing.

CW Who would reach out? It's not going to be me.

JA It would be going to Misty.

CW While they meet in the hallway.

LH Remember when we were talking about conversation when Amanda went out? She could be gone on leave at any point. What would be doing then?

CW Reaching out to everybody that we can to try and figure out how to unravel this mess. I've reached out to ALC, other counties, Texas. Everyone I know of and because our system is what it is, it's challenging. If we use statewide system, I wouldn't have this problem.

LH ALC? They gave instruction.

DS This is the problem, there's a whole bunch of stuff. PCard, all I need to know is what you were doing. I have nothing. If she's looking in system, all I need to know is what that is. Bank reconciliation, three different documents/print out and put in different places. I can't do that because I didn't have system. Check clearing, only person who has to do it is AP not doing it, won't give notes. I can't go to Finance about that. Investment accounts, people sending checks. Not finance. Keybank, US, BOA, Umpqua. No information. Person who had it said I don't know. She's deliberately and intentionally sabotaging and you guys are making excuses about why that's okay.

CW This is what I have to do with to try to at least keep her here so whatever information she's willing to share, she will. If there's some discipline, she's going out on leave.

DS Shows how terrible previous FM was, none of this in writing.

JA If you were to discipline/suspend right now. That gets grieved by union and you'll meet/discuss and she'll say I can't tell them what I don't know. It's been a month. This is part of where we in HR say we're all on your team and we get this is frustrating and hard to believe she has amnesia but no way to prove she was knowledge. Even if we fight this for 4-5 months, she'll sit in front of personnel board and say she doesn't. We're trying to take her out of the equation as much as we can to find solutions.

DS Do we not have evidence of fact she knew these were imperative to do daily? I have emails. Also have immediately saying I will no longer do this and won't teach you. She decided she would shut down operations and make it so we can't issue checks.

LH She made a decision to not do duties she volunteered for was getting OOC for. To Judy's point we can discipline her, that doesn't change the problem. You can even give a directive and discipline but you still don't know the steps to get it done.

DS I walked in and JJ has deliberately sabotaged. Left zero information. Not even bank accounts. I have nothing. I don't know when/how/where. Everything he submitted they just disappeared? No, on his personal drive. Now she has deliberately sabotaged. By letting them both get away with it, zero consequences, any time I'm upset I can take all of the County's files, institutional knowledge, destroy and say I don't know and you won't do anything about it. Our property, ability to complete operations, you'll do nothing. That's how much power you have.

CW I feel I am in worst possible predicament. I need her to share information she has. She's unwilling. If it means I have to go to Misty and say please let JJ come down here and get us out of situation he created, that's what I have to do. I'll tell you something right now, there's a lot of things I will do to make things better in this department and better for Danielle. I will die on that hill for my staff but after all of this happens, I will be having a long conversation with my boss. I have died on this hill for 1.5 years. (crying) Disrespected, talked about to my face, and it doesn't get any better for me. Don't know what else I have to do but if I go to Misty and ask her to please allow JJ, then deal with fallout from it, exactly where this is headed. Will continue to be disrespected by my staff. People walk around here, roll their eyes, turn their heads, don't acknowledge me because of one person going to cubies talking. They don't talk to my AA but all that's fine. I know what I need to do.

LH That's a suggestion, maybe there are others.

JA Has anybody else from that division left in last six months? Could bring them back.

CW No.

DS I have one more question. I apologize for how hostile I am but honestly this place is disgusting. I've been working in corporate American for 25 years but so rampant and acceptable is insane to

me. I did put in a PRR for their chats. If there's evidence they're conspiring to sabotage will HR care?

LH We would care right now. We can do an investigation. Won't help you get the work done.

CW My most immediate right now is getting work done. Everyday puts us in worse situation. So many components to this. My first and foremost is getting this work done.

JA Danielle, you said JJ had his stuff on his personal drive.

DS This is my belief.

JA Have you asked for access?

DS No, but I asked him for the files which he ignored.

JA CW has ability.

DS Would love access. No way he's not saving anything anywhere. It's all gone.

CW We've gone through but it's 2012.

JA Send me a request for access, do it today, but be thoughtful about how broad. I'll send to Gary and request you get access to those files. Same thing as when Joe left.

CW That may be case when people separate. I've received those emails. I've asked that question. You can't tell me he never received an email.

LH Maybe that's the request. Anything anywhere.

DS I did put in PRR for emails. I've only been here 1.5 months and have dozens. Where's the information. It's criminal. The fact that they are both deliberately doing these things to handicap my and CW positions is unacceptable. All of my hostility and frustration is about how acceptable it's been. It's okay that you come in here and he's taken all information.

LH Do you feel like that's what Constance is saying to you?

DS No, that's what HR is telling me.

LH HR works with the department and CW is focused on getting work done.

DS She gets to be in control every step of the way, when we issue checks, what to train, no notes. I get to decide everything and this is okay.

JA Danielle, I don't think we think it's acceptable. There's a level of employee protection that I had never experienced.

DS Where's my protection?

JA Which doesn't make it right. Part of the reason it is, electeds can come in and

DS Not what we're dealing with. Solid evidence she's deliberately doing this

JA Don't have solid evidence.

DS When she said she wouldn't do it? Give your notes, no.

LH Not her job, working OOC. She was volunteering.

DS Not volunteering when getting paid.

LH Question posed to her, not assigned.

DS Not going to do it, give you my notes, know how detrimental to department. Going to wait a week until directive. Deliberate actions with zero consequences.

JA I do not take a lot of notes. If anybody came in to be my successor, they would find zero notes. Different than what you talked about recently, JJ's source documents/emails.

DS I understand that, I'm figuring out a lot but can't figure out what I don't know what I'm supposed to be doing. Person who knows isn't sharing. They know it. Did she get a concussion?

JA Doesn't pass smell test but

CW This is the approach. I will reach out to Misty.

LH Misty is taking two weeks of vacation, could be gone any minute. Dan should be having that conversation with Justin and Misty's backup.

JA Do you want to give it a try with Amanda?

CW Have her sit there and do nothing? No. More time will go back.

LH You could do two things, sit at her desk for 8 hours a day and I expect you to have notes for all these things or arrow pointing to somewhere to go and then move on. At same time, JJ's working with you. There are two separate jobs.

DS I'm supposed to be doing both of them with nothing. Joy I walked into. Not knowing what I'm supposed to be doing.

LH Amanda can train Jerry and JJ can train Danielle.

JA You need to send me request to files.

CW I'll send you an email.

DS Tried to get network files, only kept two months.

JA May helped Danielle enough that we don't need to contact JJ.

DS Would rather eat glass than look at him in face.

CW Having him come in this office/needing his assistance will be torture. I would leve County and go back to Texas.

DS Because of the way he's acting.

JA Glad you called meeting, didn't realize every piece has disappeared.

DS I wrote it in my 7-page letter.

CW Don't care what job you leave, you have information. Only have what was submitted budget-wise. Brings me back to his statement, this office will fold/shutdown.

JA In support of you, if somebody else we can pay, you've asked everybody. We do support you, DS.

DS Haven't felt any support at all. That feels like passing the hot potato.

CW Every applicant is external.

JA Can we pay Tricia extra?

CW Goes back to, she's in new job trying to learn.

LH We can get creative but she needs to be willing.

CW She is very helpful. When I called her and said what does this company do? She gave whole outline. She can't compromise her learning/new department. Going through applicants to setup interviews. She came to DS and I, AP starting challenge with AA2, Lana wanted it clear that she wasn't part of it/just letting me know what's happening. Again causing problems with employees. One crying and one fuming.

DS Only reason I'm here is because of you. I'll need to be paid because it's time I'm not looking for another job. Everything I'm learning I'm documenting.

JA CW reaches out to Tricia for pm/weekend. Compensate at OT.

LH What does that look like? A month? If not Saturdays, just come for a week. Done and over with.

DS Even if just teams meeting for a couple hours. Got more information.

LH Some urgency, need it now.

CW Yes. Position we're in and not getting banking done. Even if she doesn't know how, she can point in direction of where it is.

JA Teams would be great format (share, screen grab).

DS Would be helpful for me, trying to document while I'm doing it. Spread out is easier, have created list of questions. Don't know what's been trained to Jerry/what did she lose/what did she forget.

CW Why I sent you that email, Alyssa. Need list from AP of where she's out.

LH Give her a deadline of training Jerry.

CW Red binder has disappeared. It was exactly what we needed, we'll check with Jerry and Amanda.

LH So, CW, you're going to send Judy a request, have a conversation with the departments re: Tricia/JJ. Provide AP with deadline on training Jerry.

CW Tricia will be able to provide position duties.

DS Giving exact same list to say to AP what's been trained. I don't have anything.

CW Timeline?

LH Tell her next Friday and if it doesn't work, tell you why.

JA Let's regroup on Friday.

CW I'll give her until next Friday and discuss progress on Tuesday.

DS Can we ask for specific amount of training each day?

LH That goes to Judy's point saying this is your job right now.

CW She needs to be part of division until complete.

DS Bank reconciliations?

CW She'll say she doesn't know.

DS But we also have her training, I don't have documentation.

CW 22nd @ 10.

DS Internal created reconciliation.

August 15, 2023 Perez Intake – 11:00a.m. – Amanda Perez, John Howell, Alyssa Cavanaugh

AC Thank you for meeting with me today. I've taken time to review your complaint and have a few questions, but we can start wherever you like. Do you and John need to connect before we dive into it?

JH No, we've been staying connected.

AC Would you like me to ask the questions I have, or would you first like to share more information in regard to your complaint?

AP Since I submitted complaint, I've had a couple emails with Constance (CW) where she was following up on training with Jerry. I was showing him clearing checks and interpreter invoices. I talked to CW about showing him the p-card, which is a FSM duty. Since then, CW asked if I had chance to show him. I told her I couldn't find the folder. Assumed Danielle (Scott, DS) had it and was doing p-card invoices. I told her I didn't want to step on toes if DS is doing that/figured out. She told me DS didn't know how to do it, didn't have notes. I told her I don't have notes on that, didn't have training. Tried to help when no FSM and found notes on the County's website, provided to her. She came with older notes saying here it is. I was confused… if I provided notes so she could do it, I'm being asked to do that's not my job. I just want to be in my role as LA2 in docket. I'm not understanding why I'm still having to assist on things I'm not sure if I'm doing right, didn't have training, don't have answers for. Continuously hounded, very uncomfortable. Stay in my role as LA2 and be left alone. There is FM, has experience in WD> Told our office in staff meeting. Something she's able to do. I guess a big question I have is when both managers of that section were leaving and notice given, and CW made plans to sit with Justin to learn and she didn't sit with him to learn anything, why dumped on me? OOC for AA4, why expected OOC upon OOC? If I'm doing AA4 why am I expected to do FM? Had week to understand what Tricia dealt with, then one week for banking. Extremely stressful. Struggled constantly. It's not been reconciled since then it's a mess. I keep being asked over and over if I'm teaching/handled. Stated first time I was talked to, because it was so neglected, I don't have the ability to do that. I keep being hounded. The old AA4 came yesterday to help Danielle and answer questions. I talked to her afterward, Tricia said not sure why she came, DS said she knew how to do it/could figure it out. Don't know why she was in here today. I said that's good news, not sure why I keep getting asked why told to do it when I don't have ability.

AC When you say constantly hounded and uncomfortable, what does that look like?

AP Last week, there was an issue with a missing EIB. Judgments handled with bar codes for remittance checks. 3 county checks were printed, 2 EIBs done. Treasury reached out to me, she said they weren't able to reconcile because of missing funds. I said I wonder if the check bounced. I did the process I would do if happened, had to contact Janis from AOC. She let me know how to fix my portion, did my documentation, and I put it on the old AA4 desk for audit purposes. I let Constance/Danielle know EIB is not something I know how to do and it could be an issue with month-end and I'm not able to fix – it's out of my hands. They said they would contact Kay. I got an email today from Danielle and she cc'd Judy Archer, you, and others, and asked for detailed accounting. I let her know I reached out to Janis for what I voided and took care of it. Everything was in Janis' response. This doesn't fix the missing EIB. Anytime I'm telling them there's an issue I can't fix, I'm still being asked about it. Things are escalating even more. Now we're cc'ing Judy Archer. I'm not understanding the need for that. Makes me nervous of what's going on behind scenes.

AC Have you had any discussions about these concerns with your chain of command?

AP My first meeting with CW after I rescinded the application is when she told me I'd have to do the duties. I tried telling her the reason why I didn't want the role is because I didn't feel like I'd work well with Danielle. I felt like I was talked to condescendingly. She cut me off and said it doesn't matter. I've talked to Melissa about how uncomfortable I was, she said it's a crappy situation but if you train someone on clearing checks, it'll be done quicker and you won't have to deal with it anymore, which is what I did (Jerry).

AC When you say in your complaint that you were fearful of retaliation after the meeting 7/26, what did you mean by that?

AP It felt like because I stepped in to help the office when there clearly wasn't a plan in place, I tried to help and make sure our office was compliant and not in contempt of court for not sending funds. I decided to do this and have a crash course in learning as much as I could. Once I realized it wasn't going to work out, I had a feeling I was going to be blamed for everything not running smoothly. I was the only one who tried to learn anything. If the Clerk is essentially the CEO who is supposed to make sure everything runs smoothly, if she's not trying to learn any of it and it's down to me, an LA2, I had a feeling I was going to be blamed or punished in some way for not wanting to be in this situation and go back to my section.

AC What makes you think you would be punished/what does that look like?

AP I'm not sure what could happen, I just feel like I know in that meeting when Tricia was with Danielle, my name was thrown through the mud by her (Danielle). When I tried to show her the first duty of her job, I was met with a lot of push back. She was confused - why she should have to do the duty if the AA4 was doing it previously. I informed her it's a FSM duty but that Tricia sometimes helped. She (Tricia) wanted to learn and would help JJ. Danielle said she didn't think she has to and I need to continue. That was the first instance where I saw I would be stuck doing these things I learned quickly, if correctly, to help. I had a feeling that if I took the job, it all would be piled onto me permanently.

AC When you say your name was drug through mud, what do you mean?

AP That I'm unwilling to help and didn't show her anything, and I wasn't willing to train her. It's not true.

AC How did you learn about this?

AP Tricia told me. She's worried about what was being said and wanted to let me know.

AC When you say in your complaint that you felt bullied and intimidated, can you tell me more about that?

AP CW said I need to do it/figure it out. I said I can't, it's been neglected for too long. I had one week to learn something the last AA4 tried to assist with in the absence of the FSM. It was a struggle for her to even try. I said I wouldn't be able to, and she said it's something that's been assigned to you. I said I literally can't, I don't have the knowledge to balance with this many days passed. Balancing everyday was really hard. I've had to tell her 6-7 times. I need to train Jerry and Danielle, and it's not that I'm not willing, I can't. I don't feel I'm being listened to, just pressured. It feels like she thinks I'm not telling the truth and if she keeps pressuring me, I'm going to crack and do it. I don't have the knowledge.

AC How is she approaching or communicating with you?

AP Most of it is in emails now. Before she would just come in person and ask about it and say, “are you training? This is something that needs to be done.” I’m well aware it needs to be done, I just cannot do it. I don’t know what else there is to talk about at that point. When Tricia met with her yesterday, Danielle said it’s all simple to figure out and it’s not complicated. I don’t know why I’m still being asked to figure out the reconciliations.

AC In your complaint you said the workplace has become hostile and toxic. What did you mean by that?

AP When I have over 20 coworkers coming up to me constantly asking how I can be forced when I helped, no one gets the support they need, we just figure things out. It’s a little strange how the Clerk is able to… When I was in the (AA4) position I received no support. The only time she came to me was when she had a question about a FSM duty. She was supposed to take over 2-3 duties I wasn’t doing, she was supposed to figure out. She didn’t. I told her I found a manual and she left without looking at it, never asked. She kept coming to me with issues and I said, “I don’t know.” I was drowning as it is. I received no support; I figured it all out. I know that there’s at least four other people who have made complaints. I’m not sure if they’re specifically against her but it’s this office and how it’s ran. People walk on eggshells; they’re scared they’re going to get fired. That’s why two people have left. Our FSM made a lateral move to District Court because he could no longer deal with her. Andrea Kelly is getting the worst of it. Her and others have made complaints, she’s going to counseling because she’s so stressed due to her interactions with Constance. I know there was an anonymous letter from someone in this office because a couple of them came back because they were addressed incorrectly. We don’t know who sent them or if things are happening. It stated in there what’s going on in this office.

AC Can you tell me more about the letters that came back/what happened?

AP A letter someone wrote, it was addressed to Judy, another one to someone in exec, and they came back. I don’t know what happened, not a lot of us knew. It’s been kept quiet as to not start issues within office. I saw it, there was 5-6 of us who did. We were all hoping something would come of it, doesn’t seem like anything has been.

AC Back to my question about the hostile and toxic workplace, can you provide specific examples of that?

AP Me specifically, if I helped out my office and struggled to learn in two weeks when I told Tricia and JJ if they need me to clear checks so that it’s in compliance, I can do that until there’s a new AA4 or FSM. I did not realize that it was going to be as extensive as it was. During this process and I’m trying to figure out what to do, Constance never talked to me about it. She never let me know the plan. She would say, “I’m not sure, I’ll get back to you.” There was no direction. I’m not understanding. If something like that can happen and then I get to a point where I don’t want to deal with it or do it, to the point where I’m working secretly through lunches or through breaks because I don’t have time. There are so many issues managing that section (judgments) and AA2s and I have to figure out the duties of the FSM. If I can step into the role and do the best I can with no guidance, leadership, questions, assistance, and if I bow out because I’m uncomfortable and stressed… I don’t want to deal with the new FSM and I want to go to my section, why am I hounded for information I don’t have and treating me like I’m lying to them? They keep asking over and over. Is there a detailed reason for this? I just want to be left alone. I don’t want OOC pay. I don’t want the role. I don’t want to work with Danielle. I want all of them to leave me alone. If she’s (Danielle) in that role, there’s no longer an absence of a FSM. If she’s telling the AA4 (Tricia) it’s

not complicated and she has figured out, I don't understand why I keep being hounded for duties that are her job.

AC You stated in your complaint that you would like assistance in resolving this matter to create a safe environment for employees to raise concerns *without fear of reprisal.* What were you referring to?

AP None of us have anyone to go to. Managers can't say anything. They barely help us because of the environment Constance has created. No one can go to her with concerns. Any concern I took to Constance, she's lied to my face about (distress/crying).

AC I know this is a difficult conversation and I'm sorry for the distress it is causing. If you need to take a break or want me to step out so you can talk to John, we can most certainly do that.

AP If anyone besides a non-manager comes to her and ask questions, she's not truthful. She's telling people what they want to hear and in judgments and it has created a huge rift. People are refusing to speak to each other because Constance is telling one person incorrect information. I don't know what I can say and what I can't say. Essentially, managers can't say anything to her because they are screamed at, yelled at, and completely disrespected. They're threatened of losing their jobs. When I had a meeting with Constance after I had told her the first meeting that I wanted to reschedule to have a union rep, I was scared I was going to get in trouble. The manager couldn't say one thing about how it was wrong and not right to force OOC because she (CW) didn't put a plan together. When I asked what the plan would've been if I didn't step up and try to help, she said it didn't matter because that's not what happened. She doesn't try to learn anything about this office. She puts everything else on the Chief Deputy and other managers when it's affecting us like this, and no one can say anything because they're too scared. I asked my Chief Deputy, "will you come with me because I'm nervous?" She told me, "I don't think I should because she's going to think we're plotting." It sounded like there are issues she's dealt with in the past. The Chief Deputy is too nervous to go into a meeting with me because of things she's been told by Constance. When I went to drop off some papers in imaging, I heard Constance screaming at Andrea and 2 others heard it. It's toxic and gross. No one should be treated like this but everyone's not saying anything. There's no one to go to. People are making complaints and nothing's happened. We lost Chris Hutton for no reason.

AC When you say Constance has lied to your face, what are you referring to?

AP I had applied for pre-trial Case Coordinator job. No one internal got pulled. I said ok, if I didn't qualify, not a problem. Then there was someone who used to work here and applied for an IT job and didn't meet minimum qualifications. She didn't make it through then less than an hour later, she did. I went to Constance with the question, was I not pulled because of minimum qualifications? She told me, "I'm not sure, I don't know how HR does their screening and I don't like how they do screening. I should be able to it on my own. I would be able to select better workers than what's in pre-trial right now." I said, "uhhh, okay. If it's me not meeting minimum qualifications, I want to know how someone else was pulled a few weeks ago for a job that they didn't meet any qualifications for." I told her Charissa applied and she started to talk really fast. She said, "she did meet the qualifications but didn't meet two minimum qualifications" and didn't have an explanation. She told me the job only needed LINX. I said, "that's not true, there are two minimum qualifications." She cut me off and said, "I'll reach out to HR and see what happened." So, when another worker who applied for the AA4 when I did didn't make it, she was upset and talked to Constance. Constance told her she had most qualifications and was not sure

why didn't make it. She's still on probation and the newest employee in judgments. She (Constance) told her she would make it, the same thing she told me for pre-trial and that they would create an AA3 position. She always says these things and lies when I know there won't be an AA3 position. She's telling another person they have most of the qualifications when they didn't make it. She's refusing to work with others and there's animosity. Multiple people feel uncomfortable and don't understand what's going on. What happened with Chris Hutton, he was accused of things that were untrue and unfounded. He was still suspended and had to leave because he was targeted and could no longer work with her because it was so uncomfortable. It's completely toxic.

AC When you say managers are screamed and yelled at and threatened of losing their jobs, have you witnessed that?

AP There were a couple managers who were screamed at who were trying to talk with Constance about employees they're having issues with. She screamed at them. It was very uncomfortable for them. She said multiple things like that to JJ. She told Andrea that she will not fire her but will make it extremely hard for her to stay in this position. I did not witness it, I was told that by Andrea. All the occurrences with JJ, he told me.

AC When was Constance screaming at Andrea?

AP Over a year ago.

AC What did you witness?

AP I didn't see anything. It was in Constance's office and I heard screaming. One worker in imaging also heard it and was appalled.

AC Did you hear anything that was said?

AP No, once I heard yelling I left.

AC You also stated in your complaint that there is an abuse of power. Can you expand on that?

AP I feel like because she's the Clerk, she can talk to any of us any way she wants and treat us any way she wants and that's what's been happening. None of these issues… It's difficult to see what this office has become once we lost our last Clerk (crying). We never had these issues, it felt like family. It was not like it is now where everyone is so nervous to come to work and everyone's uncomfortable. The issues we have don't get taken into consideration. It feels so much like a dictatorship. It's difficult because it's never what this office was. We were all so welcoming when she started. We offered information to understand our office, our ordinances, RCWs, everything. Statutory duties so she knew how everything had to flow. It just took a turn only a couple months after she started and has been worse and worse. It's just different to see people leave the office who have been here 20 plus years because they can no longer work under her. They can't be harassed by her anymore. I can see the starting of this with myself. I just didn't think I would be in a position where I'm being scrutinized for just trying to help. Of course hindsight is 20/20, and I wish I never helped my office and that sucks.

AC Thank you for taking the time to talk with me today. I know these discussions aren't easy.

AP It's exhausting.

AC Is there anything else you'd like to share that I didn't ask you about or we didn't cover?

AP I can't really think of anything else. I really just want to go back to my LA2. I don't know anything else I can offer that I haven't tried. I taught myself a lot out of the manual, workday, notes here. If I'm able to do that I don't understand why they can't. I don't want anymore of scrutinizing, things said behind my back and people won't speak to me and I have to keep working with me. Awkward, uncomfortable. If no longer absence of FSM I shouldn't have to do these duties. Issues now are her responsibility they are no longer mine.

AC John, anything to add?

JH No. In full transparency, I will say the Union is keeping a close eye on this. I'm not one who loves to file a bunch of paperwork but if we need to, we'll file a grievance.

AC Thank you, I understand and appreciate the honesty.

End 11:50 a.m.

August 17, 2023

Dear Pierce County Representatives,

I am writing today in support of Legal Assistant 2, Amanda Perez. Firstly, I'd like to acknowledge that I've had the privilege of working with Amanda in the Pierce County Clerk's Office where I was formally the Fiscal Services Manager. Amanda has always been held in high regard by the management team and peers for her hard work, dedication, great attitude, and willingness to help and step in when needed.

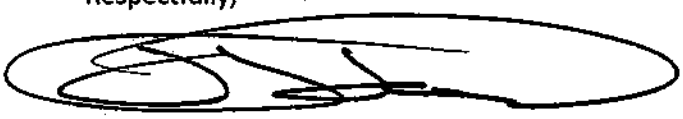
Unfortunately, today I am reaching out in support of an employee that is being forced into a role that beyond her scope of expertise. It has been brought to my attention as a plea for help, understanding and confirmation of her abilities. Amanda worked as an interim Accounting Assistant 4 for 5 days while I was still the Fiscal Services Manager. It is not realistic to impose and expect these demanding duties to be performed by a Legal Assistant 2 after 5 days of training. Again, I say interim. Amanda stepped into a position in that office and kept the daily operations functioning. Without Amanda stepping into that role, I am fully confident daily operations would not continue and statutory duties would not be met. From what I have gathered, my intuition has been confirmed correct.

Before my departure, I had the opportunity to spend a very short time with Amanda. During this time, I provided a crash course of operations to try and provide a stopgap between my departure and the incumbent Fiscal Services Manager. This included ensuring the reconciliation was maintained as best as one in her short tenure could do. This training did not include the researching multiple errors, missed statutory duties and neglect. That is not a realistic objective to place upon a Legal Assistant 2 working as an interim Accounting Assistant 4. This maintenance was to simply keep the office going forward until the new Fiscal Services Manager arrived to operate the financial department of the Clerk's Office.

I felt compelled to act as a leader, professional, and as though I have a responsibility to do what is right, after receiving information regarding the "forcing" of Amanda into completing tasks she does not have the training or capacity to complete as well as requiring her to train employees for a position she never fully held. I've set out today to help provide context to the tasks in question, most notably, the bank reconciliation. It is not the responsibility of a Legal Assistant 2 to shoulder this burden. Amanda went above and beyond to support this office. This burden was due to poor management decisions and this issue comes from the top down. Amanda has become yet another casualty of the incompetent leadership and the harsh and desperate measures taken to stay afloat and self-preserve.

Please reach out to me with any questions or concerns, as I'd be more than willing to speak to you.

Respectfully,



Justin Joyce
Court Fiscal Manager – Pierce County District Court (Former Fiscal Services Manager - Clerk's Office)
Justin.joyce@piercecountywa.gov (253) 798-2974

August 17, 2023 Perez Follow-up – 3:00 p.m. – Amanda Perez, John Howell, Alyssa Cavanaugh

AP Thank you both for your time to do this today. I received an email response from Danielle. You were cc'd, Alyssa. Right before this, Constance did pull me into my manager's office and apologized for that (email from Danielle). I did tell Constance there were many things that were inaccurate in her response and made her aware of that. We also did have, I told you on Tuesday that Tricia came to our office and helped Danielle, and Danielle told her she understood/it was easy/she could figure it out. Tricia said she didn't know why she was here, so I was thrown off with the response I received today about that. So, I cannot continue to be in this position, and I will refuse. This is so hostile. I don't want any part of it. I did tell Constance I want to be done this week and have nothing to do with it. I'm always available for questions or if judgments is unsure of a process, if I can help, I will. But I will not be working in any shape or form with Danielle. I want no part of it anymore. I'm done with any communication.

AC Once your training with Jerry is done, are you done with the duties? What is your understanding?

AP The training is already done with Jerry. I let Constance know that today. I don't know if OOC pay stops after tomorrow or not but even if I was asked to continue, I cannot. I can answer any questions for Jerry or other staff in Judgments if they need help. Anything with the FSM, I have offered everything I know at this point and have nothing left. I just want that noted and to be done. I'm not going respond to email or say anything, I'm just going to leave it alone.

AC What was the response when you communicated that to Constance?

AP She said she'd work on that so I guess we'll see what happens. I told her I've offered everything I can for that position. I do have a letter from the former FSM, JJ, to send. I don't know who I can send that to. Not sure if I should send it here to the office or provide it to you saying I don't have the capacity for what they're asking me for. The questions on banking/reconciliation have not stopped. I don't know how many more times I can say that I cannot do it.

AC If it were me, I'm not sure I would deliver a letter on someone's behalf. I don't know what your conversations with JJ have been so I hesitate to advise and would say that's up to you.

AP He would be fine with me passing it anyone, he told me that.

AC When you told Constance that you do not have any further information regarding reconciliations, what was the response?

AP I told her I've provided everything I can, there's nothing else, I have no notes. What Danielle is stating in there, I have nothing left. I'm not sure what Constance said but something like she understood. So…. yeah. I also did tell her, I tried to tell her, about why I didn't take the position. That it was because of Danielle and how we just wouldn't work well together. Constance seemed to not remember, and I did remind her. Melissa was with me, and I said, "you did cut me off and tell me that it didn't matter, and this is what I was worried about. She's been trained and she's saying she wasn't. That's untrue. It seems she's refusing to do the job she was hired for." I warned her and I was cut off again this afternoon.

AC Was a timeline discussed with you?

AP A couple days ago they said the 25th would most likely be the end date. Now Constance said try to have it done by tomorrow, I believe.

AC What was she referring to when she said, “have it done?”

AP I’ll be done answering any more questions for the FSM. I’ve been having to assist on a few issues that happened. My understanding is I will not be receiving OOC and won’t be asked to do any of the FSM or AA4 duties. I only offered to answer any of their questions if they need assistance. I’m there to answer.

AC I’m glad to hear there was a meeting this afternoon, it sounds like some things were cleared up. Are you feeling any better?

AP Yeah, right now. I guess once everything is done I will feel better.

AC John?

JH Not at this time. The afternoon meeting was new to me, as well.

AP I got pulled in right before this and didn’t have a chance to talk with you (John). I just want it documented in case anything happens again. I wasn’t expecting this today with the emails/responses. My manager wasn’t going to say anything. She decided she had to step up and say something so that’s how that meeting happened. Constance decided she would like to finally be able to talk to me. She said she was nervous.

AC Who said they were nervous?

AP Constance told Melissa she was nervous was talk to me about all of this because it got blown out so big, I’m guessing. I don’t want to be stuck in Constance’s office by myself. Melissa understood and we had meeting in Melissa’s office with her (Constance) there.

AC Okay. I don’t have any other questions for you and appreciate you reaching out. Please feel free to do that any time, if needed.

AP Thank you.

JH May we have the room?

AC No problem, I’ll step out. Thanks again and have a good evening.

End 3:16 p.m.

Danielle Scott

From: Danielle Scott
To: Alyssa Cavanaugh
Subject: RE: Filing a complaint - Amanda Perez and Justin Joyce
Date: Tuesday, August 8, 2023 3:35:19 PM
Attachments: image001.png

Wonderful, thank you!

Danielle Scott
Fiscal Services Manager
Pierce County Clerk of the Superior Court
930 Tacoma Avenue S. Rm 110, Tacoma, WA 98466
danielle.scott@piercecountywa.gov
253-798-7471

From: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Sent: Tuesday, August 8, 2023 3:29 PM
To: Danielle Scott <danielle.scott@piercecountywa.gov>
Subject: RE: Filing a complaint - Amanda Perez and Justin Joyce

Hi Danielle,
Absolutely, thanks for reaching out. I'll get some time on our calendars.

Alyssa

From: Danielle Scott <danielle.scott@piercecountywa.gov>
Sent: Tuesday, August 8, 2023 11:44 AM
To: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Cc: Danielle Scott <danielle.scott@piercecountywa.gov>
Subject: FW: Filing a complaint - Amanda Perez and Justin Joyce

Hi Alyssa,

Are you able to help with this? Constance suggested maybe trying you also.

Thank you!

Danielle Scott
Fiscal Services Manager
Pierce County Clerk of the Superior Court
930 Tacoma Avenue S. Rm 110, Tacoma, WA 98466
danielle.scott@piercecountywa.gov
253-798-7471

From: Danielle Scott
Sent: Monday, August 7, 2023 10:50 AM

To: Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Cc: Danielle Scott <danielle.scott@piercecountywa.gov>
Subject: FW: Filing a complaint - Amanda Perez and Justin Joyce

Hi Lisa,

Can you let me know how to proceed. I have only been working for Pierce County since 6/30/23 and have been dealing with the sabotage and toxic hostility for weeks. It is a known issue and something I spoke with Maura about briefly a few weeks ago.

Thank you,

Danielle Scott
Fiscal Services Manager
Pierce County Clerk of the Superior Court
930 Tacoma Avenue S. Rm 110, Tacoma, WA 98466
danielle.scott@piercecountywa.gov
253-798-7471

From: Maura Maye <maura.maye@piercecountywa.gov>
Sent: Monday, August 7, 2023 10:48 AM
To: Danielle Scott <danielle.scott@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>; Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Subject: RE: Filing a complaint - Amanda Perez and Justin Joyce

Good Morning Danielle…please reach out to Lisa Hilligoss in our Employee Relations division. I have also cc'd her on the email.

Maura A. Maye *(she/her/hers)*
Organizational Development and Training

Human Resource Department | Pierce County
(253) 798-6240 | maura.maye@piercecountywa.gov

The greatest human need is to experience a sense of belonging…

From: Danielle Scott <danielle.scott@piercecountywa.gov>
Sent: Monday, August 7, 2023 10:26 AM
To: Maura Maye <maura.maye@piercecountywa.gov>
Cc: Danielle Scott <danielle.scott@piercecountywa.gov>; Constance White

<constance.white@piercecountywa.gov>
Subject: Filing a complaint - Amanda Perez and Justin Joyce

Hi Maura,

I wanted to find out what my options are for filing a complaint for sabotage and a hostile/toxic work environment.

Not only has Justin Joyce deliberately sabotaged myself, Constance White, and my department, but now Amanda Perez has been deliberately sabotaging the department for weeks. I would like to ensure it is documented and reported in whatever way I am allowed to. Something needs to change because I cannot continue to work in these conditions, and neither should my team or Constance.

Thank you,

Danielle Scott
Fiscal Services Manager
Pierce County Clerk of the Superior Court
930 Tacoma Avenue S. Rm 110, Tacoma, WA 98466
danielle.scott@piercecountywa.gov
253-798-7471

From: Constance White
To: Alyssa Cavanaugh; Danielle Scott; Judy Archer; Lisa Hilligoss
Cc: Constance White; Dan Grimm
Subject: RE: Complaint - A. Perez & J. Joyce
Date: Tuesday, August 15, 2023 10:21:15 AM

Good morning, everyone,

I am requesting an in-person meeting with all parties in this email, apart from Dan Grimm, unless he wants to participate. There have been conversations about this situation between people in the email but not with all of us. I realize that Teams meeting are convenient, but due to the nature of the impact that this situation has created in the Clerk's office, I am requesting an in person meeting as soon as possible.

I have been in discussion with Labor regarding this situation for over a month and we are not moving forward to resolution. I have followed guidance that Labor has provided, and I am still in the same position as I was when this started. I do not know what has/is being communicated to Amanda regarding her responsibilities as it relates to her role as the Interim AA4. I do not want to go into the specifics via email because I do not want anything to get lost in translation. I do appreciate all the work, guidance, and advice that Alyssa has devoted to this situation, but I do not believe that the urgency in our requests for information has been received during conversations or emails.

Please let me know at your earliest convenience when this in person meeting can take place.

Sincerely,

Constance

Constance R. White
She/Her/Hers
Pierce County Clerk

Pierce County Office of the County Clerk
Phone: 253-798-3372
930 Tacoma Avenue South, Room 110
Tacoma, Washington 98402-2117
Email: constance.white@piercecountywa.gov

From: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Sent: Tuesday, August 15, 2023 9:36 AM
To: Danielle Scott <danielle.scott@piercecountywa.gov>; Judy Archer <Judy.Archer@piercecountywa.gov>; Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Complaint - A. Perez & J. Joyce

Hi Danielle,
We appreciate you bringing your concerns forward and understand your frustrations. A complaint certainly doesn't need to impact safety to warrant an investigation or follow-up. However, there are different avenues to address concerns depending on the subject. Some complaints are more appropriate to handle at the department level, and those which rise to HR require an extensive and rigorous process to ensure a thorough investigation. While I and other analysts on the Labor and Employee Relations team do handle complaints and investigations, if there are alleged violations of Title VII and/or the ADA, our EEO/ADA Officer Vicki Moll is the contact. As we continue to assess your complaint and partner with your department on how to proceed, please feel free to reach out with any additional concerns.

Thank you,
Alyssa

From: Danielle Scott <danielle.scott@piercecountywa.gov>
Sent: Friday, August 11, 2023 2:23 PM
To: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>; Judy Archer <Judy.Archer@piercecountywa.gov>; Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Complaint - A. Perez & J. Joyce

Noted, concerns of safety is what it takes for anyone to do anything.

I will submit the EEO complaint Monday as I had to return home shortly after arriving in the office. I have been informed however, that because I am not being discriminated against for a specific reason (protected class) and instead all of this is for no reason, so it is likely that EEO is not the correct path.

HR can't help me, Labor can't help me, and now it appears that EEO doesn't believe they can help me. Now I understand that no one will do anything unless my safety is in jeopardy. The situation is manifesting in me physically and making me ill, but that is not a problem at all.

I'll pursue other avenues as all my attempts to get help have been met with the most extreme apathy and it is clear that everything, I have reported is perfectly acceptable. I understand now why both Justin and Amanda feel justified in their actions because they are acceptable in Pierce County.

Sincerely,

Danielle Scott
Fiscal Services Manager
Pierce County Clerk of the Superior Court
930 Tacoma Avenue S. Rm 110, Tacoma, WA 98466
danielle.scott@piercecountywa.gov
253-798-7471

From: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Sent: Friday, August 11, 2023 1:57 PM
To: Danielle Scott <danielle.scott@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Complaint - A. Perez & J. Joyce

Hi Danielle,
If you have immediate concerns for your safety, please reach out to Constance or me as soon as possible. I have also attached the County's Workplace Safety policy for your reference and awareness.

I have also reached out to Constance but we have not had a chance to connect. I encourage you to work with your chain of command if you have concerns which need immediate attention, but please let me know if there's more I can do to assist.

Thank you,
Alyssa

From: Danielle Scott <danielle.scott@piercecountywa.gov>
Sent: Thursday, August 10, 2023 1:13 PM
To: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>; Danielle Scott <danielle.scott@piercecountywa.gov>
Subject: RE: Complaint - A. Perez & J. Joyce

Hi Alyssa,

In my initial email to Lisa, which was sent four days ago, I explicitly mentioned, "I wanted to find out what my options are for filing a complaint for sabotage and a hostile/toxic work environment."

It appears now that EEO is the designated department to address matters related to sabotage and a hostile/toxic work environment. However, a meeting was scheduled by your office, only to be subsequently canceled. Given the weeks that I have already endured, the additional delay of another four days merely to cancel the meeting and refer me to someone else is frustrating.

I am extremely eager to address these pressing concerns and bring about a resolution as **her actions are affecting MANY people including my team and the public**.

If EEO only handles employee matters that is one piece of the puzzle, but what do we do about stopping her behavior from continuing to prevent the operations of this department?

Thank you,

Danielle Scott
Fiscal Services Manager

Pierce County Clerk of the Superior Court
930 Tacoma Avenue S. Rm 110, Tacoma, WA 98466
danielle.scott@piercecountywa.gov
253-798-7471

From: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Sent: Thursday, August 10, 2023 12:00 PM
To: Danielle Scott <danielle.scott@piercecountywa.gov>
Cc: Constance White <constance.white@piercecountywa.gov>
Subject: RE: Complaint - A. Perez & J. Joyce

Hi Danielle,
Thank you for sending the written complaint and providing an opportunity for me to review. It appears you feel that you may have been subjected to violations of Pierce County's Equal Employment Opportunity (EEO) policy. I have attached County's EEO policy to this email and your complaint has been referred to our EEO/ADA Officer Vicki Moll, who will be reaching out to you soon. Since EEO complaints are handled by a different individual, I will be canceling our meeting for this afternoon but please feel free to contact me if you have any questions.

Thanks,
Alyssa

From: Danielle Scott <danielle.scott@piercecountywa.gov>
Sent: Wednesday, August 9, 2023 3:50 PM
To: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Cc: Danielle Scott <danielle.scott@piercecountywa.gov>; Constance White <constance.white@piercecountywa.gov>
Subject: Complaint - A. Perez & J. Joyce

Hi,

Attached is a written complaint regarding the issues I will be discussing with you tomorrow. I needed to document the information for clarity. Please let me know if there is a formal document I should update.

Please let me know if you have any questions or require any additional information.

Thank you,

Danielle Scott
Fiscal Services Manager
Pierce County Clerk of the Superior Court
930 Tacoma Avenue S. Rm 110, Tacoma, WA 98466
danielle.scott@piercecountywa.gov
253-798-7471

Ayana Watson

From: Lisa Hilligoss
To: Ayana Watson
Subject: RE: Judgments
Date: Tuesday, August 29, 2023 11:13:00 AM

Ayana – As a follow up to our conversation on August 22, and your email below, I have spoken with the recruiter who reviewed your experience and education as it relates to the minimum qualifications for the AA4 position. HR Analyst Hety Lee has indicated that you have 5 months of related experience.

The minimum qualifications for an AA4 are "two or more years of college coursework with major emphasis in accounting, bookkeeping, or related field and three or more years of related work experience with at least two years of supervisory/lead experience. Bachelor's degree in accounting, management or other business-related are desirable. Additional education and experience may substitute for the recruiting requirements."

Hety is available if you'd like to gain more insight into what you would need to do to obtain the required experience. As I mentioned, pursuing your bronze level leadership certification is great. However, I don't believe that it will count toward the min quals of an AA4 as the education/experience has to be directly related to the actual work. Hety would be able to better inform you on this. Also, if you have additional experience or education that you do not believe is being considered, please reach out to Hety with that information. She can be reached at 253-798-6764 or by email at hety.lee@piercecountywa.gov.

I also spoke with Constance and she has confirmed the out of class work that you performed, and this time has been approved by the HR Director for out of class compensation. The dates/times you outlined in our conversation are listed below and will be paid as out of class to the AA4. Your department manages the processing of that change so if you have any questions, please reach out to Constance.

7/28 - 1p – 3:30p Clearing Checks
7/31 – 8a – 12Noon Clearing Checks, half day
8/1 – 8a – 4:30p End of month and clearing checks, full day
8/2 – 8a – 12Noon End of month and clearing checks, half day

If you have additional questions or concerns, please let me know and thank you.

From: Ayana Watson <ayana.watson@piercecountywa.gov>
Sent: Wednesday, August 23, 2023 8:24 AM
To: Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Subject: RE: Judgments

I would like to add that I am currently enrolled in the Bronze training program through Pierce County.

From: Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Sent: Wednesday, August 23, 2023 7:45 AM
To: Ayana Watson <ayana.watson@piercecountywa.gov>
Subject: RE: Judgments

It was a pleasure meeting with you as well. Do you have any additional information about your experience or background that you would like to provide so that it can be considered? Thanks.

From: Ayana Watson <ayana.watson@piercecountywa.gov>
Sent: Tuesday, August 22, 2023 3:57 PM
To: Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Subject: Judgments

Hi Lisa,

Thank you for taking the time to further explain and talk with me about what may or may not be going on in my section.
I have taken some time to think about our conversation and I would like if our qualifications were checked and evaluated side by side.
I think I personally would feel better knowing it was checked.

Again, I appreciate your time and kind words of affirmation,

Ayana M. Watson (she/her/hers)
Accounting Assistant 2
Pierce County Superior Court Clerk's Office
930 Tacoma Ave S
RM110
Tacoma WA 98402
(253) 798-7465

8/22 t/c Ayana Watson (Lisa H)

F/up to her email of 8/22/2023

Want to check in on how things are going right now. Do you have any immediate concerns I should be aware of?

> Right now it feels like hostility has gone down. Now that I don't have to go to Amanda Perez (AP) for questions or use as a resource, things are better.

In your email you state you need guidance? Can you tell me more about that?

> There's not a whole lot that can be done. Unprofessional and no repercussions or consequences. Dealing with it. Get what we can and move on. Employees don't feel supported when trying to be collaborative and someone who is supposed to be taking position of leadership isn't.
> I feel like it needs to be reported and not really advice given. Doesn't feel good when you're an employee who is trying to grow and promote. It seems like AP is in a position of power, and she is pulling the rug out on me.

Can you tell me more about that?

> Position for AA4 is open, I voiced to AP, DS, and CW and followed up with wanting to take on more responsibility within section. I'm trying to grow because I want to be here and make more income. Others (AP) are getting in my way of path of growth.
>
> Applied for AA4 and told I didn't make the cut. CW said she had to go at it with HR as to why she didn't make the cut. CW told her to get more training and if another position opens up, may get another opportunity. Went to DS and asked about end of month workload and offered to try and figure it out. DS said go ahead and so she worked on that for 2.5-3 days and then it was AP and Jerry project, and my potential was ripped from me.

I explained that decision about whether she qualified for AA4 position was HRs decision and had nothing to do with AP.

> CW is also fighting with HR on screening candidates for the AA4 position as she doesn't agree with candidates they are not sending forward.

I explained ability to work out of class is dependent on whether individual qualifies for the position they were working out of class in. Explained that CW was working with HR to determine if this was possible, and CW and DS might have jumped the gun before they realized she did not qualify to work out of class. Explained that AP had nothing to do with her removal from performing AA4 out of class duties and that this was also a

decision of HR. Apologized for lack of communication as to why this opportunity had been moved to Jerry.

> Does not believe Jerry is more qualified and believes she has more schooling and supervisory experience than him.

I suggested she speak with recruitment to learn exactly why she was screened from the position. I also told her that if she wanted to provide any additional information, I would be happy to send along to recruitment and class and comp to have it looked at to see if it made a difference as to her eligibility for the position or out of class. Asked her to clarify when she worked out of class.

> Worked out of class on 7/28. CW approached me and asked if I wanted to essentially take over interim position of AA4. CW asked her to start clearing checks. Sat with AP and she showed me how to clear checks. Monday, I cleared checks again. Tuesday realized end of month needed to be done. Went to DS and DS gave her the green light to do that as well.

Breakdown of out of class work (8:00 - 4:30 1 hour lunch):

7/28 1:00 - 3:30 clearing checks
7/31 8:00 – 12:00 clearing checks, half day
8/1 8:00 - 4:30 end of month and clearing checks, full day
8/2 8:00 – 12:00 end of month and clearing checks, half day

Told Ayana that I would wait to hear from her if she wanted anything reviewed further but would otherwise assume she didn't if I didn't hear from her. Told her I would get back to her with a determination on out of class pay for the dates/times listed.

8/29/2023 Email response to Ayana:

Ayana – As a follow up to our conversation on August 22, and your email below, I have spoken with the recruiter who reviewed your experience and education as it relates to the minimum qualifications for the AA4 position. HR Analyst Hety Lee has indicated that you have 5 months of related experience.

The minimum qualifications for an AA4 are "two or more years of college coursework with major emphasis in accounting, bookkeeping, or related field and three or more years of related work experience with at least two years of supervisory/lead experience. Bachelor's degree in accounting, management or other business-related are desirable. Additional education and experience may substitute for the recruiting requirements."

Hety is available if you'd like to gain more insight into what you would need to do to obtain the required experience. As I mentioned, pursuing your bronze level leadership certification is great. However, I don't believe that it will count toward the min quals of an AA4 as the education/experience has to be directly related to the actual work. Hety

would be able to better inform you on this. Also, if you have additional experience or education that you do not believe is being considered, please reach out to Hety with that information. She can be reached at 253-798-6764 or by email at hety.lee@piercecountywa.gov.

I also spoke with Constance and she has confirmed the out of class work that you performed, and this time has been approved by the HR Director for out of class compensation. The dates/times you outlined in our conversation are listed below and will be paid as out of class to the AA4. Your department manages the processing of that change so if you have any questions, please reach out to Constance.

7/28 - 1p – 3:30p Clearing Checks
7/31 – 8a – 12Noon Clearing Checks, half day
8/1 – 8a – 4:30p End of month and clearing checks, full day
8/2 – 8a – 12Noon End of month and clearing checks, half day

If you have additional questions or concerns, please let me know and thank you.

From: Ayana Watson
To: Lisa Hilligoss
Subject: Re: Judgment section, Clerk"s office
Date: Tuesday, August 22, 2023 2:27:12 PM
Attachments: image002.png

Lisa,

I moved to a different office for some privacy and this computer doesn't allow me to use Teams.
Can we have an old fashion phone conversation?
I am sitting at ext. 7836

From: Ayana Watson
Sent: Monday, August 21, 2023 1:47 PM
To: Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Subject: RE: Judgment section, Clerk's office

Hi Lisa,

Any time tomorrow the 22nd, the 24th or 25th.

Thank you!

From: Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>
Sent: Monday, August 21, 2023 1:45 PM
To: Maura Maye <maura.maye@piercecountywa.gov>; Ayana Watson <ayana.watson@piercecountywa.gov>
Cc: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Subject: RE: Judgment section, Clerk's office

Good afternoon Ayana. Please let me know when is a good time to touch base with you over the next couple of days. Thanks!

From: Maura Maye <maura.maye@piercecountywa.gov>
Sent: Monday, August 21, 2023 9:21 AM
To: Ayana Watson <ayana.watson@piercecountywa.gov>
Cc: Lisa Hilligoss <lisa.hilligoss@piercecountywa.gov>; Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Subject: RE: Judgment section, Clerk's office

Good Morning Ayana,

I am forwarding your email to the Labor Relations folks. They will get back to you.

Maura A. Maye *(she/her/hers)*
Organizational Development and Training

Human Resource Department | Pierce County
(253) 798-6240 | maura.maye@piercecountywa.gov

The greatest human need is to experience a sense of belonging…

From: Ayana Watson <ayana.watson@piercecountywa.gov>
Sent: Friday, August 18, 2023 2:02 PM
To: Maura Maye <maura.maye@piercecountywa.gov>
Subject: Judgment section, Clerk's office

I was reaching out to you because I need some guidance.
There is a situation in my section and I would love your advice on how to move forward.
Prior to my hire date (3/20/23), there was some shifting of responsibility from Justin the fiscal to Tricia the AA4 RC7 [redacted]. I was informed of this by coworkers.
Tricia Ann left our section May 26th and Justin left our section July 7th.
Amanda Perez was our acting AA4 while we were filling both positions.
It is my understanding that when Tricia was training Amanda that she was then given some of those extra responsibilities, to allow our section to continue to progress and do daily tasks.
That being said, when Danielle Scott was hired as our fiscal manager, she was greeted with a wall of refusal from Amanda when it was time to train and learn new things. I had voiced my support to Amanda to help her with any tasks or responsibilities.
Amanda told our section she was moving back to Docketing after a verbal disagreement took place with Danielle and Amanda, and that's when I went to Danielle to offer my support, help or anything that I could do to take off some of the less pressing items on her workload.
Constance then reached out to me and told me I would be training with Amanda, so I could take on the interim AA4 position, as I had applied and was rejected, I immediately enrolled in bronze training, and I went to Danielle to lend a helping hand. Amanda originally refused. Constance made her train me on clearing checks.
I learned how to clear checks, and did so that evening (Friday July 28th). Monday, I cleared checks, and everything was fine. Tuesday, I realized it was End of Month and I knew that required more work than just clearing checks. I again asked Amanda for help, she refused and gave me a response that was came across kind of rude. I left that alone and figured out about 70% of End of Month on my own, spending all of 8/1 and 8/2 trying to complete End of Month with notes I found and instructions I got from AOC (computer system).
Jerry and Amanda then went to Constance and voiced their concerns for my new responsibilities.
My new responsibilities and work were taken out from underneath me.
I left the situation alone, although it left me fairly upset.

Fast forward, I have taken a few courses of my bronze level training. I am under the impression that, in order for an employee to work out of class or as acting AA4, they must meet minimum requirements for that job position. I understand that I am in my probationary period still, but I have shown the interest, I have put in the additional training to show and prove my interest, as well as regularly vocalizing my interest in growing and supporting my section and coworkers as much as I possibly can. I have a bachelor's degree that applies to my sections work and responsibilities as well as having supervisors experience from two different prior employers. I now have not be compensated for my time working out of class.
The environment has gotten hostile, as Amanda has sent teams messages to Kylie. Her lack of communication around check clearing and owning tasks in our section.
I find it very unprofessional that a current acting AA4 is allowed to say no to training/ sharing pertinent information for coworkers as well as sending hostile teams messages to other coworkers. Speaking for myself, those messages make my coworkers feel some type of way and the way they arrive at work affects us all.

I realize this complaint comes after a lot of the bulk of the situation has taken place.
I feel the documentation of this situation is necessary and potentially an investigation.

Please let me know if I can better describe this situation or need to elaborate.
Thank you for your time,

Ayana M. Watson (she/her/hers)
Accounting Assistant 2
Pierce County Superior Court Clerk's Office
930 Tacoma Ave S
RM110
Tacoma WA 98402
(253) 798-7465

Constance White

Thank you for meeting with us. We have received some information that we wanted to share with you and then also talk about next steps.

We have received two complaints from staff in your office regarding concerns related to comments you have allegedly made and unfortunately, whether you made them or not, they have been repeated and shared. The complainants have alleged that because of these comments, staff have high anxiety and a fear of retaliation for speaking up and that many are looking for new employment.

We are not doing an investigation into the allegations or otherwise contacting staff. We're sharing this information with you so that you have the opportunity to respond and more importantly so that we can discuss how to help you move forward and what support we might be able to provide in that process to ensure your success. This is a similar process to one we have used with other Directors and Electeds when complaints/concerns have been received by the Executives' office about them. We recognize that this an uncomfortable conversation, but we also believe that it is important for you to have any information that might be helpful to success in your position.

This is not a disciplinary discussion and we do not expect you to "defend" yourself. It is simply to make you aware of secondhand comments that might be being attributed to you.

I'll share some of the details unless you have any questions.

O'Gallaher:
Apparently, Danielle O'Gallaher shared information with others after she left the office that you allegedly shared with her during her employment. There's a sentiment shared by both complainants that you overshared with Danielle your feelings, thoughts, and opinions about others in the office that were not flattering and that were never shared directly by you with those employees. Danielle shared your feelings, thoughts, and opinions with staff after her departure. We were not provided specifics except that Danielle allegedly advised your management team that she felt sorry for all of them and that a few of the managers should start looking for new employment as you were "on the hunt." There was also some confusion expressed about whether staff were supposed to be back in the office or were allowed to continue teleworking and whether your managers were meeting your expectations on this matter based on information shared by Danielle. And there was a story shared where you had allegedly told Danielle that you called your son's girlfriend when she was threatening to get a protection order against him and stated that you "know people" and that her parents were undocumented. This created fear among staff.

Do you have any questions about that before I move on?

Other Comments:
Similar comments were shared that you allegedly made that have allegedly contributed to staff anxiety and fear, such as:

- "I make a great friend, but I make an amazing enemy."
- "I don't fire people, but I make an environment where they voluntarily leave."
- And that you are always testing people to find out where weaknesses are and that you tell nuanced versions of stories to people so if it gets back to you, you know who is talking.
- An example of this that was provided is that you allegedly told Emma about her promotion a week early to test her confidentiality.

Another example provided that apparently caused staff to feel fear and unease was a comment at a staff meeting and also repeated by you at other times where you allegedly stated, "changes are coming rapidly." These comments were allegedly made without context and have caused paranoia and stress in

the office as employees are on edge worrying about what changes are happening and how it might impact them.

There was also a concern that you expressed concern that when you were doing a job shadow of an employee, the employee called white people in the jail sir/ma'am and anyone of color called by their name. It was alleged that you were furious, thought this was racist, but didn't want to do anything about it.

Do you have any questions about that before I move on?

Other Actions:
There were also a couple other items that were brought forward, that if accurate, might be easier to resolve. For example:

- It was alleged that you haven't had a management team meeting with everyone present since you arrived.
- Employees have been told to schedule time on your calendar, but apparently some don't have access. There's also a feeling that they do not know what your schedule is on any given day, when you're working from home, will be out, or on vacation.
- It was also shared that you have brought your dog into the office on several occasions. You were probably not aware that animals are prohibited in the workplace at all times unless it is a certified service animal, and a formal accommodation has been put into place.
    - Reference only - 3.52.140 Safe and Healthy Environment. A. To ensure a safe/healthy environment for employees and the public, animals/pets are prohibited in the workplace at all times. This does not apply to certified (trained) service animals for individuals with disabilities or dogs approved pursuant to the Pierce County Assisted Intervention Dog program.
- And staff have apparently not received their years of service awards as of yet.

Do you have any questions about that before I move on?

CW's Emotional Wellbeing:
Separately from all of this, we are also concerned about your emotional wellbeing. We both recognize that this has been a very difficult year. Moving to a new state and learning a new job are significant events in a person's life and cause a tremendous amount of stress. You had the additional challenge of a very difficult employee issue to work through this year. The complainants have stated that you have made comments to multiple employees that you have not had one good day since you came to Pierce County and feel that you lead with emotions and lash out when under stress. It is understandable that last year has been extremely overwhelming and we would be remiss if we didn't have a conversation about what we can do to help.

Pause.

Our intent here is to inform and support. It is your decision on what you would like next steps to be.

This is a lot if information to take in at once. You can take some time to think about everything that was shared, and we can set another meeting in a week or so to discuss further. Additionally, I'd be happy to provide you with an outline of the items we discussed today if that is helpful.

An idea we discussed was seeing if you might be interested in some type of management consultant/or coach of your choice if you thought that would be helpful. This could be a person of your choosing paid

for by the County for a period of time and someone who would be your confidant to express and share your concerns and frustrations and seek advice and guidance.

I would be remiss if I didn't remind you that retaliation against a person who has filed or participated in a complaint is strictly prohibited. You may have some thoughts or ideas about who shared this information, and it will be important that you not let that impact your interactions in any way.

Potential Action Items:

- Clarify with managers and staff expectations surrounding ability to telework.
- Hold regular management team meetings.
- Allow staff access to your calendar and/or clarify expectation surrounding how to schedule meetings. Provide information when away from office or teleworking with management team. This may have been resolved now that you have an admin assistant.
- No longer bring dog into office and/or request an accommodation if applicable.
- Make plan with management team to distribute years of service awards.

From: Constance White
To: Vicki Moll
Cc: Tara Hallam; Constance White
Subject: RE: EEO Complaint Form and Policy
Date: Sunday, July 14, 2024 1:12:02 PM

Good afternoon, Vicki

I have had an opportunity to review the Pierce County EEO Policy and I informed you I would reach out to you.

At the present time, due to the number of hostile events that have occurred in the past month, I still need some time to heal from the trauma that has been thrust upon me. There have been instances that continue to cause me harm and continue to create a hostile environment for me.

Every conversation that I have had with you continues to exacerbate the thoughts and trauma causing me to relive each of these moments RC7 [redacted] and personal safety. At the present time, I need to make sure I am okay.

Sincerely,

Constance White

From: Vicki Moll <vicki.moll@piercecountywa.gov>
Sent: Monday, June 3, 2024 4:35 PM
To: Constance White <constance.white@piercecountywa.gov>
Subject: EEO Complaint Form and Policy

Good afternoon, Constance.

HR has learned that you may have a complaint against Pierce County that would fall under the purview of EEO. I've attached the EEO Complaint Intake Form and Pierce County's EEO Policy. If you decide to file a complaint, complete the form and return it to me.

If I can answer any questions about the form or the policy, please call.

Take care,

Vicki Moll / 253-798-2909
EEO & ADA Officer

From: Constance White
To: Melissa Arnold; Alyssa Cavanaugh
Cc: Constance White; Judy Archer
Subject: Inappropriate Binders
Date: Sunday, July 14, 2024 1:20:11 PM

Good afternoon,

Please let this email serve as a recap of our meeting held on Monday, July 8 regarding the binders that were discovered in the Clerk's Office Records section.

The binders held confidential information sheets, handwritten letters to judges and from individuals that were either incarcerated or were sending letters to the court requesting various things. It was communicated to me that these binders held these items "because people thought they were funny". There were also screenshots of our data base that should not be handled in this way.

This is very concerning to me due to new employees stating this was an "unofficial onboarding". The fact that individuals think this type of behavior is funny, is not only unprofessional, but also demonstrates a lack of integrity and a violation of the oath and confidential agreement that is taken by each person in this office. Individuals send mail to be processed properly and expect that respect be taken when handling their documents.

My understanding is that an investigation will take place when you return from vacation. The binders were handed over to Judy Archer on Tuesday, July 9 for safekeeping.

I look forward to hearing from you when you return.

Thank you,

Constance R. White
She/Her/Hers
Clerk of Superior Court
Pierce County Office of the County Clerk
Phone: 253-798-3371
930 Tacoma Avenue South, Room 110
Tacoma, Washington 98402-2117
Email: constance.white@piercecountywa.gov

Notice: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

https://www.linkedin.com/posts/jo-bass_noplaceforhate-standagainstmisogyny-respectonline-activity-7251565218802143233-ppAj?utm_source=share&utm_medium=member_desktop

RC5 **Constance White, CPM, CCM, CCE** replied to **Ondra Berry**'s comment on this

JoAnne (Jo) Bass • 2nd
19th Chief Master Sergeant of the Air Force (CMSAF) | Strategi...
5d •

+ Follow

Not my standard first-of-the-week post, instead I share this with a spirit of transparency to shed light on the toxic side of the internet and to acknowledge that misogyny is still alive and well.

If others are in a similar situation, please know you are not alone.

Recently, I received a message from a friend checking in after seeing a post with some unflattering comments directed at me.

Unfortunately, that has been the case ever since I was selected as the 19th Chief Master Sergeant of the Air Force. I will always remember that day, mostly for good, but also because it marked the beginning of a new reality for me - relentless online harassment. This is, sadly, a reality shared by many who are harassed, attacked, and abused by hateful people on the internet.

While the digital world has connected us in powerful ways, it has also given some a platform to be their worst selves. This abuse, cyber bullying, and hatred is unacceptable.

I am an optimist and firmly believe GOOD always wins. I also know there are more people of GOOD CHARACTER than the negativity we see online.

That said, there are also too many bystanders — good people who simply don't know what to do or don't want to get involved.

My ask...let's check on those we care about so they don't face this alone. Let's show that cruelty won't be tolerated. And a good habit for ALL of us to practice and remind others of: If you have nothing nice to say, move on. (Repeat 3x)

Our nation...and our world...are full of opportunities to engage and leave it a little bit better.

You've heard me talk about a whole-of-society approach before...this is no different. Decency and common courtesy require a whole-of-society approach too.

Together, let's create a more positive future for ALL of us!

NOTE: A special thanks to my husband who has always reminded me to guard my eyes and ears, to focus on the long game. His advice and support continues to strengthen me - yet the piercing of unjust words can impact the best of us. I remain more determined to call this out, for the sake of others who can't or won't. Thank you to my PAs and Team 19 who had to endure the majority of this...again, good always wins.

#NoPlaceForHate #StandAgainstMisogyny #RespectOnline #bettertogether #wholeofsociety

She might have been in the military for 27 years, but most of them were probably on her back
I'm not dumb enough to join an organization that will hire women to do a mans job.
Thought you could reconsider your rank insignia since you wanna be a little [redacted] about everything
Leadership is about self-righteous vaginas lording over 'the patriarchy'.
Maybe in the feminist playbook, not mine.
I'll kick your teeth in if you come here
Bass or bass? Bet she gives superb [redacted]
You're one huge [redacted] arent ya?
* Roughly 75% of young women and girls have faced harmful content online...with more than 1 in 10 experiencing it daily, or almost daily.
#MeToo

2,057 449 comments

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RC5 [redacted]

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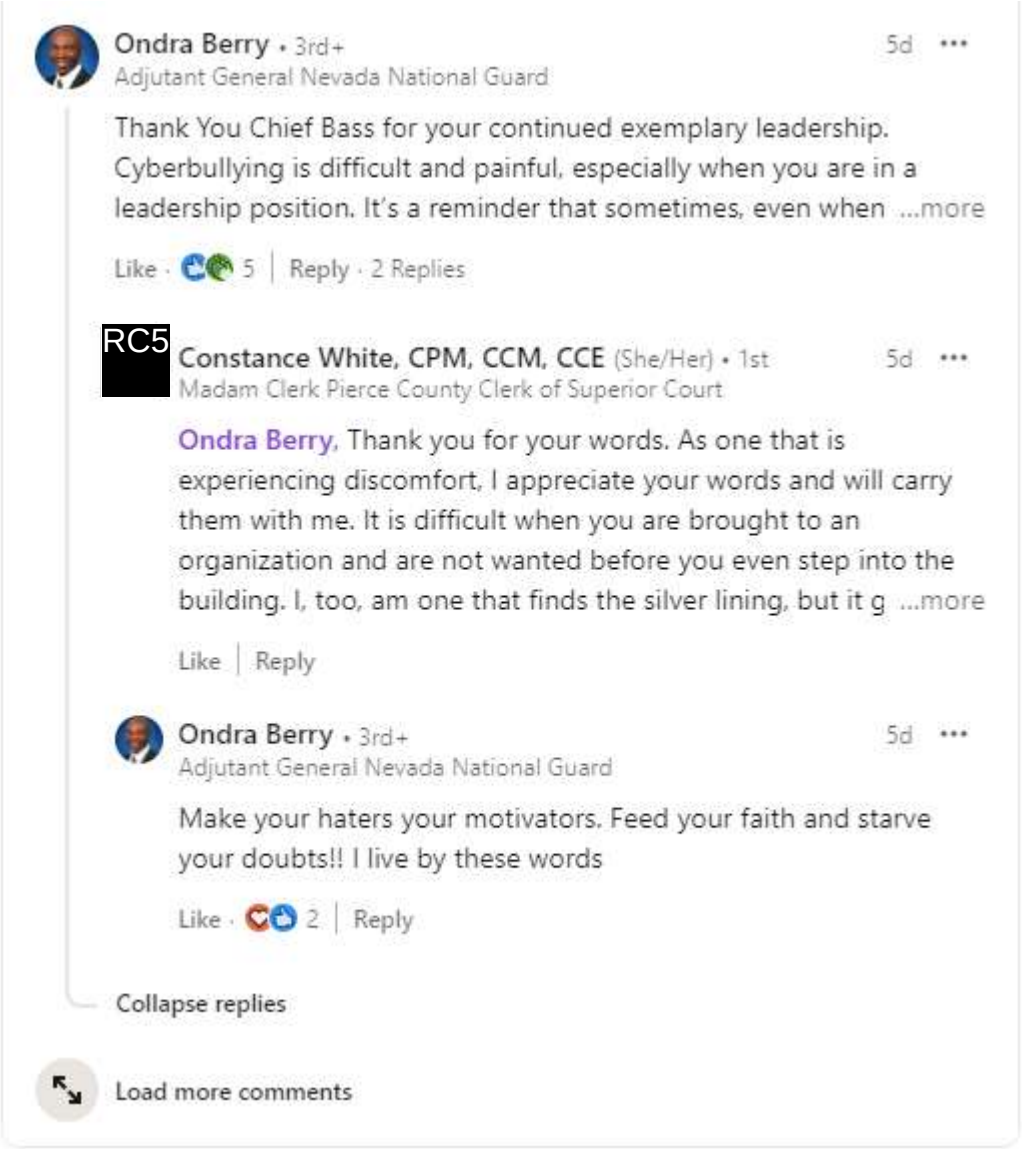
Ondra Berry • 3rd+
Adjutant General Nevada National Guard
5d
Thank You Chief Bass for your continued exemplary leadership. Cyberbullying is difficult and painful, especially when you are in a leadership position. It's a reminder that sometimes, even when ...more
Like · 5 | Reply · 2 Replies
RC5
Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
5d
Ondra Berry, Thank you for your words. As one that is experiencing discomfort, I appreciate your words and will carry them with me. It is difficult when you are brought to an organization and are not wanted before you even step into the building. I, too, am one that finds the silver lining, but it g ...more
Like | Reply
Ondra Berry • 3rd+
Adjutant General Nevada National Guard
5d
Make your haters your motivators. Feed your faith and starve your doubts!! I live by these words
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Collapse replies
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https://www.linkedin.com/posts/robdance_the-only-way-to-win-against-a-bully-this-activity-7250830079981682689-St2R?utm_source=share&utm_medium=member_desktop

RC5 **Constance White, CPM, CCM, CCE** commented on this

Rob Dance • 3rd+
Tech Entrepreneur | 2x CEO & Founder | Author | Keynote Spe...
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1w •

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The only way to win against a bully

This 👇

Don't let office bullies crush your spirit:

→ Face them head-on
→ Document everything, and
→ Reach out to someone you trust.

Respect is your right.

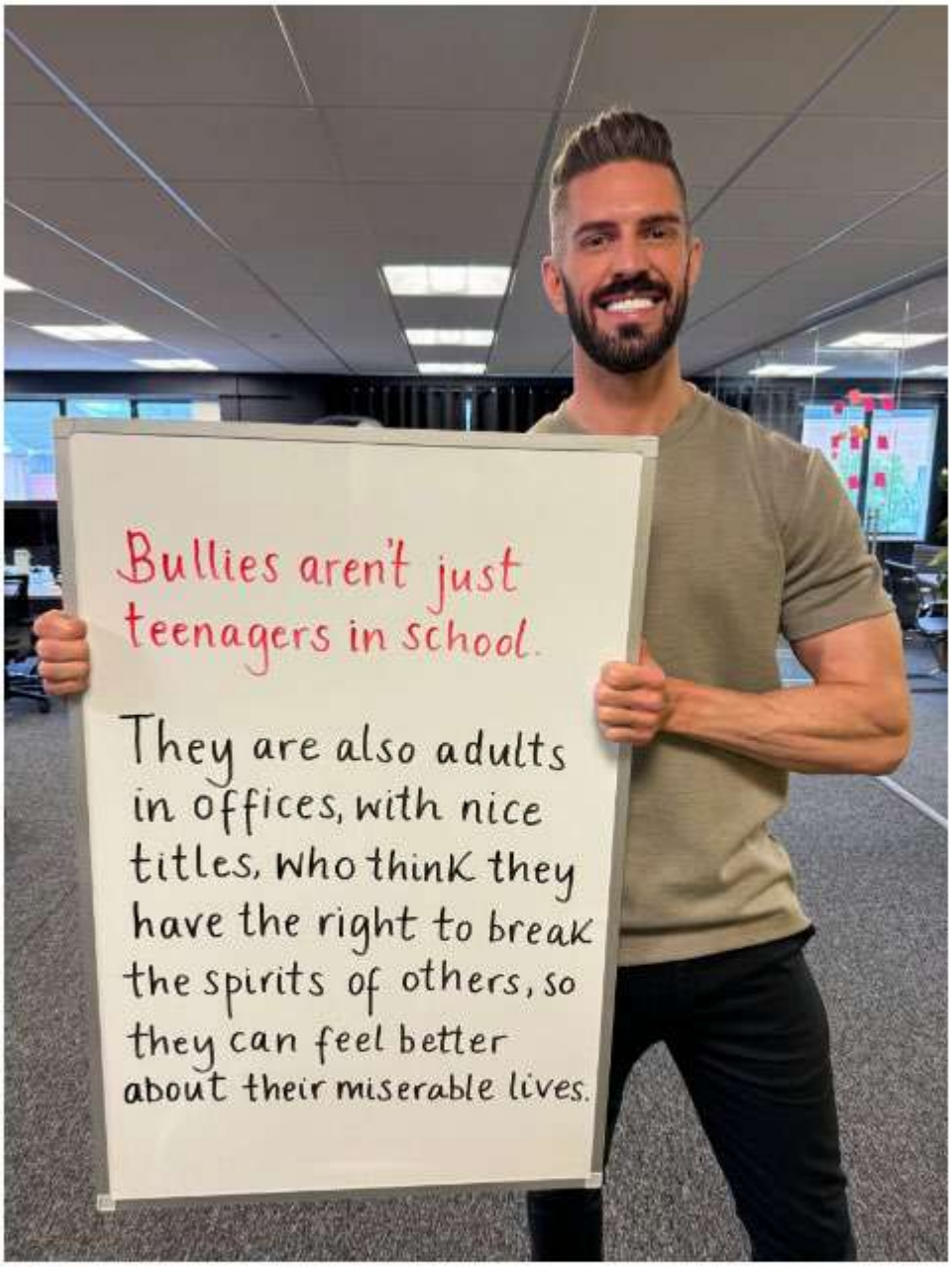
Don't let anyone take that from you.

Stand firm,
Stay strong, and
Know your worth.

Agree?

♻️ Share this to help others in your network stand up to bullying

And follow Rob Dance for more LinkedIn content like this!


Bullies aren't just teenagers in school.
They are also adults in offices, with nice titles, who think they have the right to break the spirits of others, so they can feel better about their miserable lives.

11,373 1,409 comments · 763 reposts

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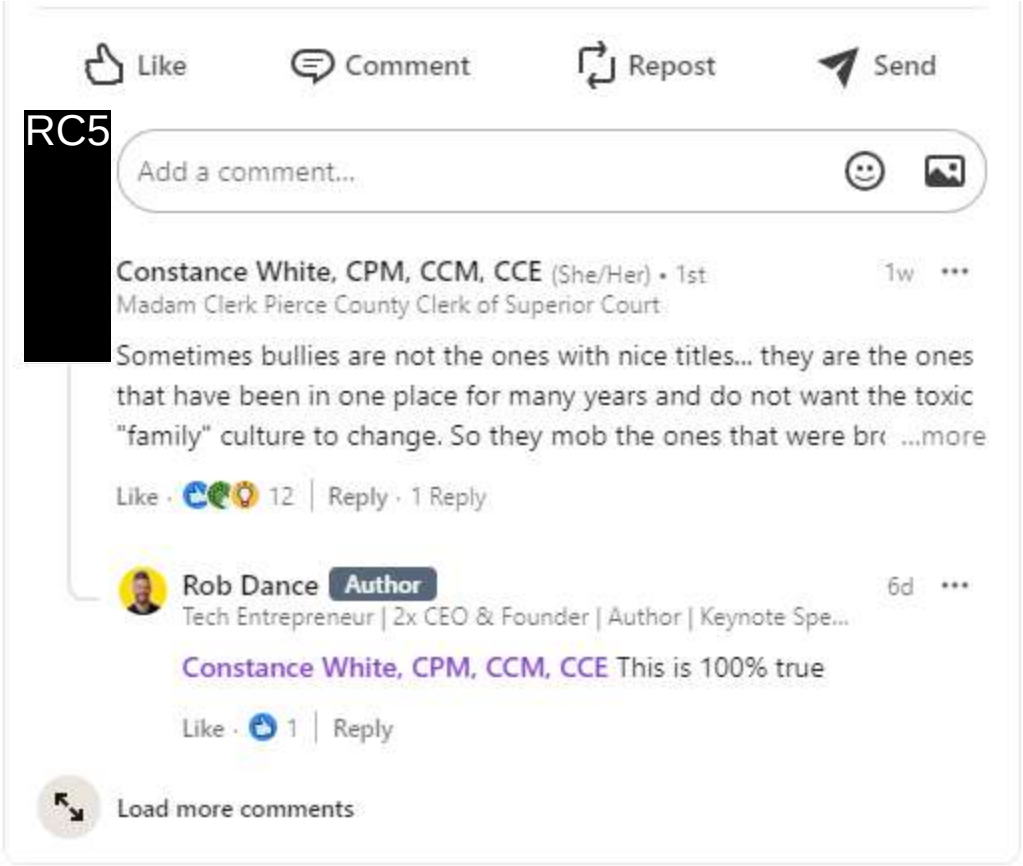
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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
1w
Sometimes bullies are not the ones with nice titles... they are the ones that have been in one place for many years and do not want the toxic "family" culture to change. So they mob the ones that were br ...more
Like · 12 | Reply · 1 Reply
Rob Dance Author
Tech Entrepreneur | 2x CEO & Founder | Author | Keynote Spe...
6d
Constance White, CPM, CCM, CCE This is 100% true
Like · 1 | Reply
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https://www.linkedin.com/posts/end-workplace-abuse_theyre-five-year-olds-in-adult-bodies-dont-activity-7225958612077072385-FQd9?utm_source=share&utm_medium=member_desktop

RC5 Constance White, CPM, CCM, CCE commented on this

End Workplace Abuse
28,999 followers
2mo •

+ Follow

They're five-year-olds in adult bodies. Don't take their bait. Walk away.

Narcissists have an entitled mindset, and live by double standards. They believe they can make rude and insensitive comments, criticize, throw false accusations, send nasty messages or texts, throw blame, talk down to you, take anger out on you, disrespect you, repeat hurtful gossip and hearsay someone has allegedly "said" about you, act like self righteous know it alls, give orders, devalue you, make verbal attacks, name call, and bully and make threats, but think you have no right to assert yourself, disagree, respond, get angry, defend yourself, or have boundaries. They start it all, but then come unglued when you respond or stand up for yourself to something they said. They wouldn't put up with one tenth of the crap they dish out, but believe you should accept and tolerate it, because they are superior and you are "beneath" them.

121 21 comments • 22 reposts

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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
2mo

And so sad for those that are left to navigate the abuse, torment, and trauma alone

Like | Reply

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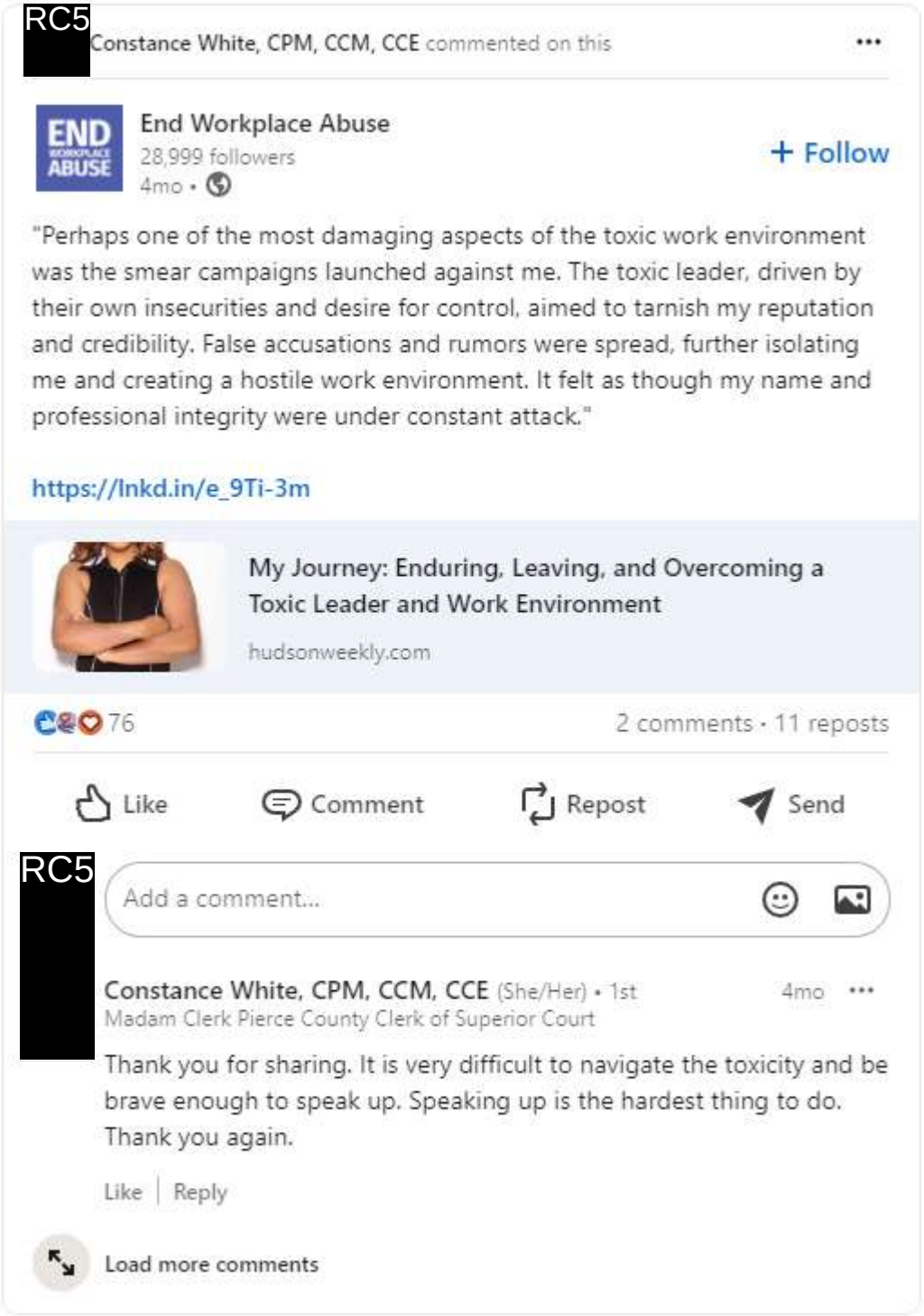
https://www.linkedin.com/posts/end-workplace-abuse_my-journey-enduring-leaving-and-overcoming-activity-7206333903895212032-8uSj?utm_source=share&utm_medium=member_desktop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Constance White, CPM, CCM, CCE commented on this
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"Perhaps one of the most damaging aspects of the toxic work environment was the smear campaigns launched against me. The toxic leader, driven by their own insecurities and desire for control, aimed to tarnish my reputation and credibility. False accusations and rumors were spread, further isolating me and creating a hostile work environment. It felt as though my name and professional integrity were under constant attack."
https://lnkd.in/e_9Ti-3m
My Journey: Enduring, Leaving, and Overcoming a Toxic Leader and Work Environment
hudsonweekly.com
76
2 comments • 11 reposts
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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
4mo
Thank you for sharing. It is very difficult to navigate the toxicity and be brave enough to speak up. Speaking up is the hardest thing to do. Thank you again.
Like | Reply
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https://www.linkedin.com/posts/end-workplace-abuse_the-psychological-abuse-of-workplace-bullying-activity-7183883677888581632-CCWG?utm_source=share&utm_medium=member_desktop

https://www.linkedin.com/posts/end-workplace-abuse_we-need-a-law-employers-are-not-explicitly-activity-7175969521831153664-R6GF?utm_source=share&utm_medium=member_desktop

End Workplace Abuse
28,999 followers
6mo •

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"Workers, employment lawyers, human resources professionals, and others detailed their experiences with bullying and psychological abuse, including the loss of careers, income, and their mental and physical health. The testimony included stories of employees being ostracized; isolated; micromanaged; having their pay or duties changed; being left out of critical conversations, events and projects; and having their concerns go unanswered. Through tears, one woman described going to work "like going into a leopard's cage." An employment lawyer highlighted the single mothers he has represented who have been the targets of workplace bullying. "Why did they tolerate it? Because the rent is past due, because the electricity is shut off, because the oil tank is empty."

The Workplace Psychological Safety Act made the Boston Globe:
https://lnkd.in/e3FwTKx4
https://lnkd.in/ePPsWQh7

Take action:
WPSAct.org

#EndWorkplaceAbuse #HoldEmployersAccountable #StopBullyingandMobbing

The psychological abuse of workplace bullying - The Boston Globe
bostonglobe.com

75 3 comments • 12 reposts

Reactions

RC5

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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
6mo ···

Most relevant

Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court

6mo •••

This is real. The mental toll it takes is so difficult. Being afraid to walk down a hallway because the individuals are there, feeling the anxieth rise in you when you drive into the parking garage because ypu are fearful of what the day may bring. The feeling of being dismissed by those that have the rrsponsibility to help you. The isolation, being told "ypur still smiling so it muat be getting better" but you are smiling to keep from crying. This is Real!

Like | Reply

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Constance White, CPM, CCM, CCE commented on this

End Workplace Abuse
28,999 followers
7mo •

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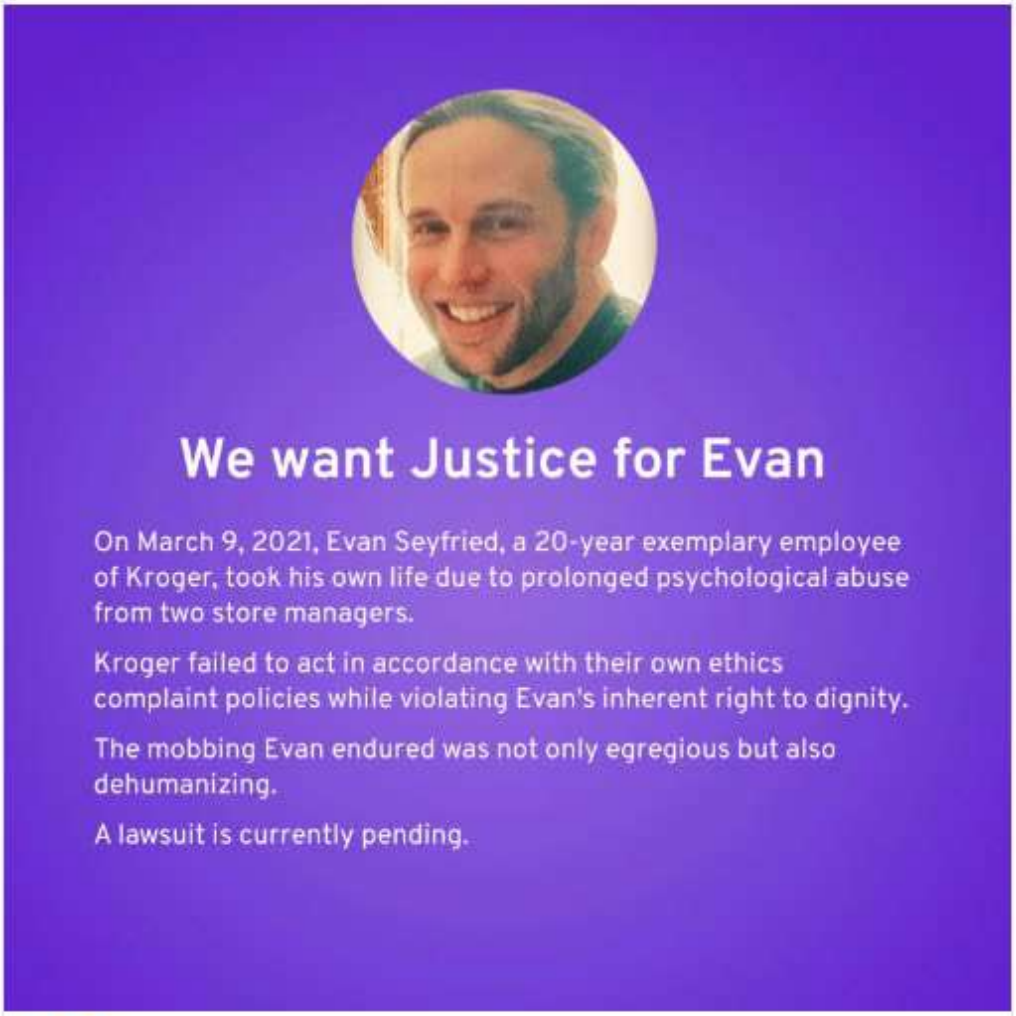
We need a law.

Employers are not explicitly liable for the psychological harm of their employees, nor do they want to be. Employers choose to avoid a perceived threat of liability over human well-being.

The Workplace Psychological Safety Act takes that choice away and provides a cause of action for employees who suffer from psychological abuse at work.

Sign the petition to pass the Workplace Psychological Safety Act:
https://lnkd.in/esvFcTsA


We want Justice for Evan
On March 9, 2021, Evan Seyfried, a 20-year exemplary employee of Kroger, took his own life due to prolonged psychological abuse from two store managers.
Kroger failed to act in accordance with their own ethics complaint policies while violating Evan's inherent right to dignity.
The mobbing Evan endured was not only egregious but also dehumanizing.
A lawsuit is currently pending.

169 8 comments · 21 reposts

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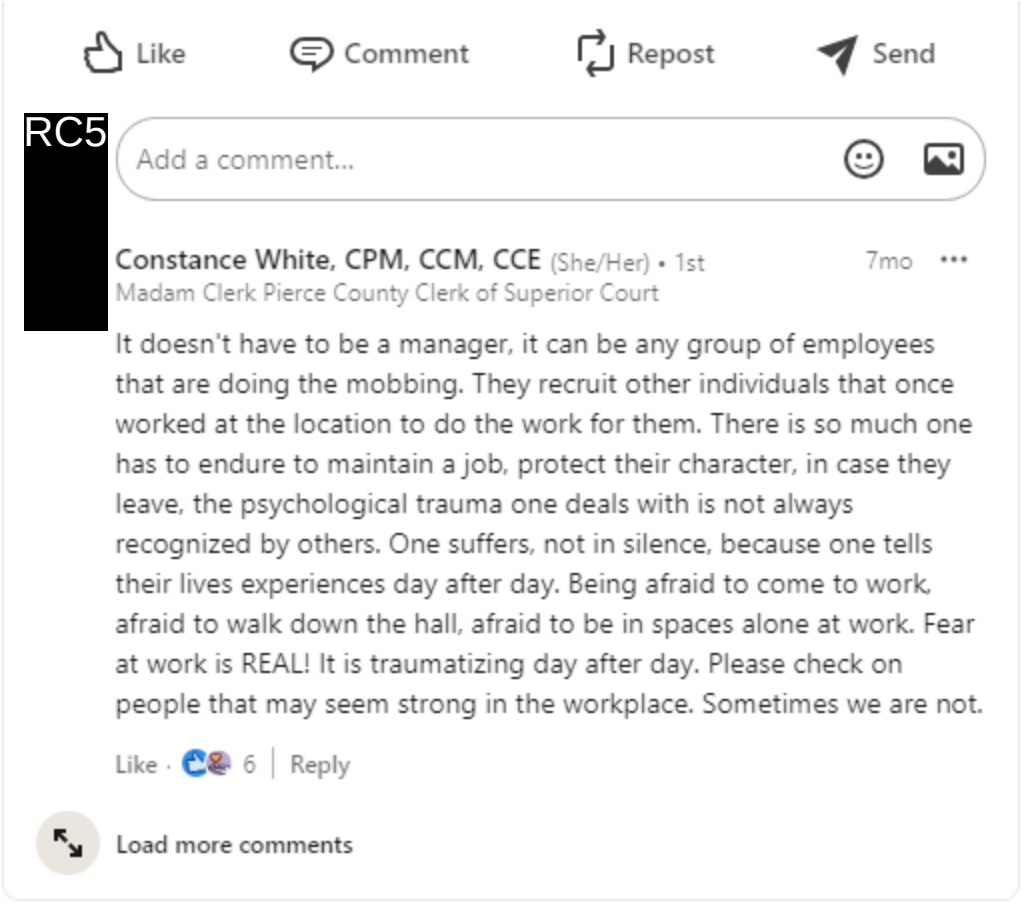
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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
7mo
It doesn't have to be a manager, it can be any group of employees that are doing the mobbing. They recruit other individuals that once worked at the location to do the work for them. There is so much one has to endure to maintain a job, protect their character, in case they leave, the psychological trauma one deals with is not always recognized by others. One suffers, not in silence, because one tells their lives experiences day after day. Being afraid to come to work, afraid to walk down the hall, afraid to be in spaces alone at work. Fear at work is REAL! It is traumatizing day after day. Please check on people that may seem strong in the workplace. Sometimes we are not.
Like · 6 | Reply
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RC5

Constance White, CPM, CCM, CCE commented on this

Pro Sports Assembly
10,534 followers
7mo •

+ Follow

On this International Women's Day 2024 #highFive to Founding Board Member Brittanie Boyd on joining the Dallas Mavericks as the new Senior VP of Partnerships! With Cynt Marshall at the helm, Brittanie joins an illustrious group of inclusive and innovative leaders paving the way to a strong, healthy, and fair future in pro sports.

BTW, Brittanie is not only a Founding Board Member but also the first Co-Chair of The Assembly, alongside Antony Bonavita, CVE. And, now Co-Chair of the Marketing and Communications Committee with Asia Gholston.

PROfound thanks for sharing your inspirational leadership so generously! ⭐

#ProSportsAssembly #ProSportsLeadership #PROmotion

361 17 comments · 5 reposts

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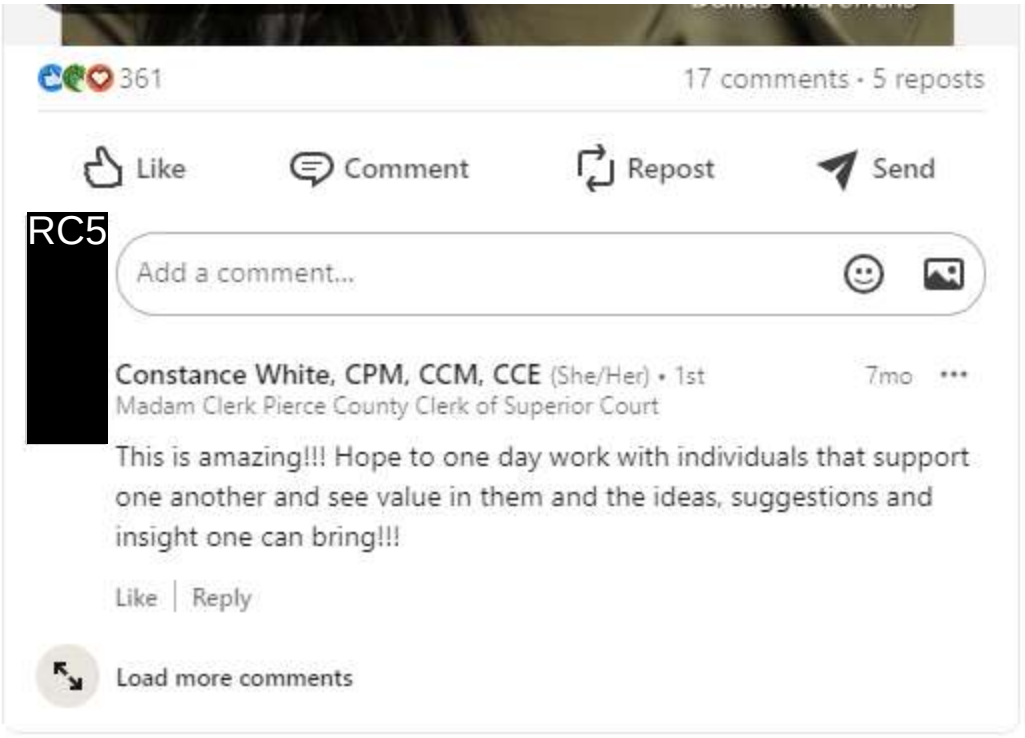
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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
7mo
This is amazing!!! Hope to one day work with individuals that support one another and see value in them and the ideas, suggestions and insight one can bring!!!
Like | Reply
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https://www.linkedin.com/posts/raquelmartinphd_black-women-i-want-you-to-know-that-you-ugcPost-7167896167157067779-svQ3?utm_source=share&utm_medium=member_desktop

RC5

Constance White, CPM, CCM, CCE commented on this

Dr. Raquel Martin, PhD • 3rd+
Licensed Clinical Psychologist I Assistant Professor I Scientist I ...
7mo • Edited •

+ Follow

Black women, I want you to know that you are deserving of rest, in whatever format that comes. Put down your cape, and burn it!

Dr. Raquel Martin
@RaquelMartinPhD
What is **Black superwoman syndrome** and what are the signs?
www.RaquelMartinPhD.com
Dr. Raquel Martin
@RaquelMartinPhD
Black women are expected to maintain a persona that they are the pillar of strength for family, friends, and even coworkers. Not to mention the constant expectation the Black women will be the **target** AND the **shield** for society.
www.RaquelMartinPhD.com

Dr. Raquel Martin
Black women are denied:
• an outlet to share the toll that this has on us
• resources to support ourselves and the communities we are responsible for
• acknowledgment that these issues exist
Dr. Raquel Martin
The gradual process of adultifying Black girls, depriving them of their innocence, teaching them to silence their emotions and desires, sublimate their needs, and care for others at their expense leads to **Black Superwoman Syndrome**
Dr. Raquel Martin
So what are the signs of **Black superwoman syndrome?**
+4

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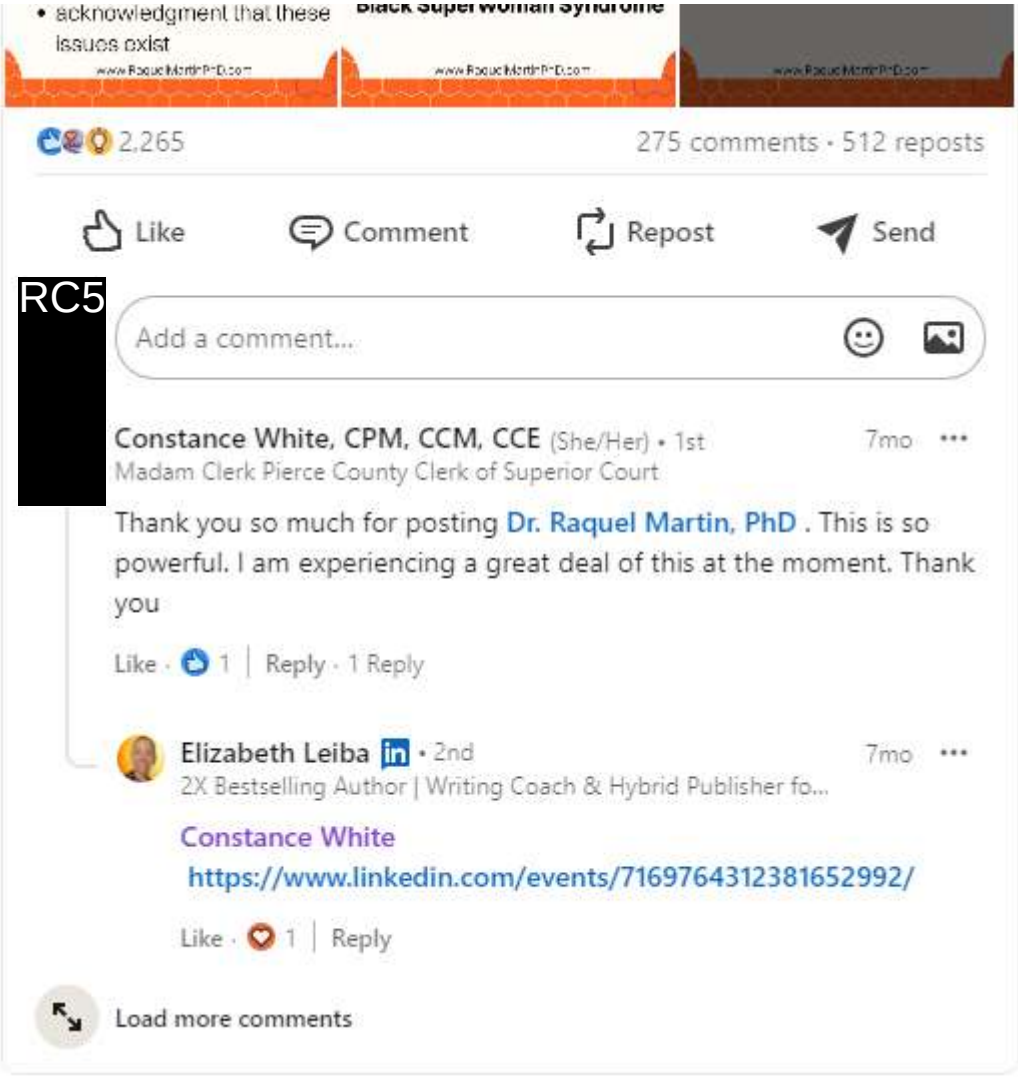
• acknowledgment that these issues exist
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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
7mo
Thank you so much for posting Dr. Raquel Martin, PhD . This is so powerful. I am experiencing a great deal of this at the moment. Thank you
Like · 1 | Reply · 1 Reply
Elizabeth Leiba • 2nd
2X Bestselling Author | Writing Coach & Hybrid Publisher fo...
7mo
Constance White
https://www.linkedin.com/events/7169764312381652992/
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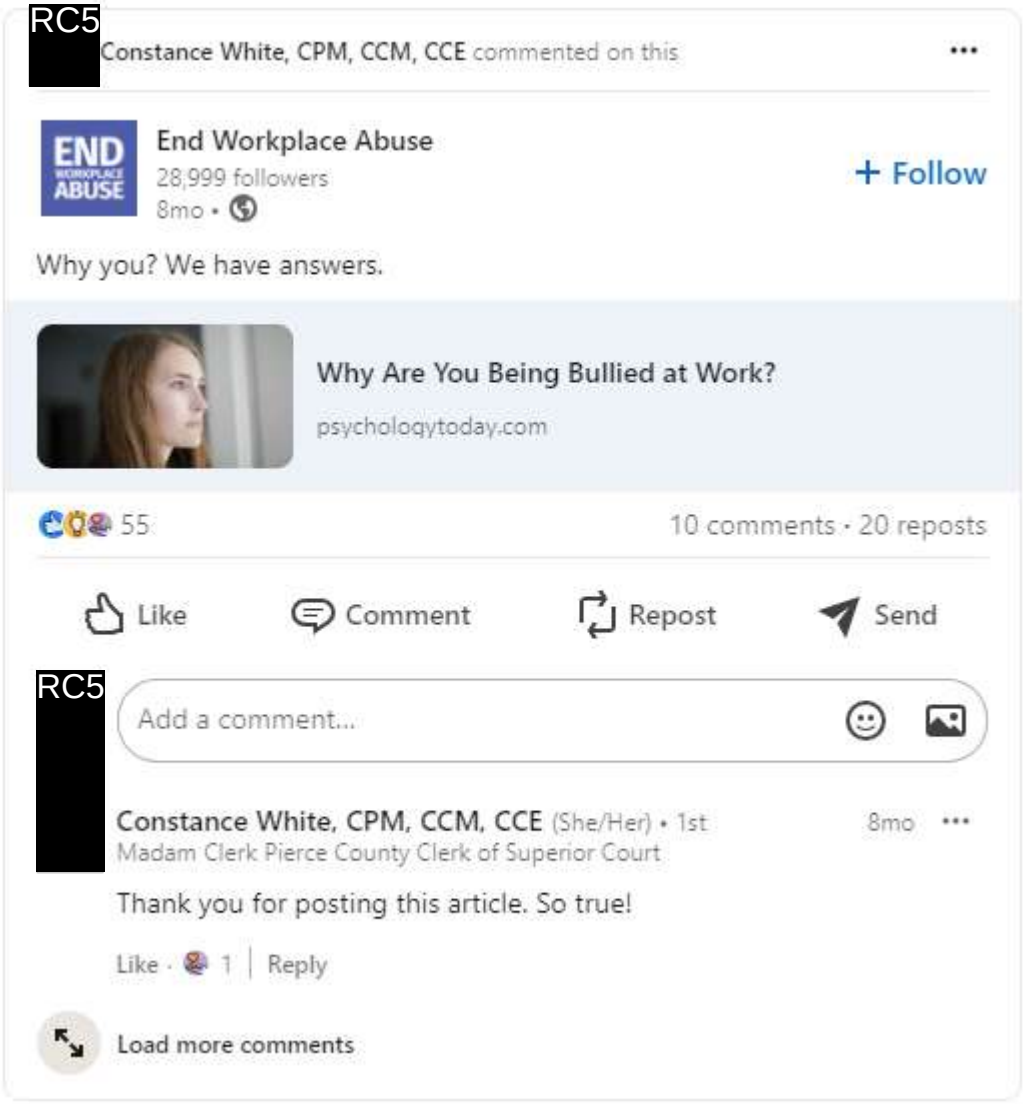
https://www.linkedin.com/posts/end-workplace-abuse_why-are-you-being-bullied-at-work-activity-7159957779124797440-Wjrc?utm_source=share&utm_medium=member_desktop



https://www.linkedin.com/posts/jamiraburley_my-heart-is-broken-for-dr-antoinettes-family-activity-7151403456098893824-hBmS?utm_source=share&utm_medium=member_desktop

RC5

Constance White, CPM, CCM, CCE commented on this

Jamira Burley • 2nd
Worldwide Strategic Initiative Lead at Apple • LinkedIn Top Voi...
9mo • Edited •
+ Follow

Lisa Lloyd said it all

Lisa Lloyd • 3rd+
Customer Success Leader | CX Genie | Expert Facilitator | Co...
9mo •
+ Follow

My heart is broken for Dr. Antoinette's family + loved ones. When we discuss the mistreatment of Black women in the workplace, we are not talking about personality mismatches. We are not talking about ...more

Dr. Antoinette Candia-Bailey, vice president of Student Affairs at Lincoln University-Missouri, reportedly died by suicide from "bullying and severe mistreatment" in her role.

141 12 comments • 30 reposts

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RC5

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12 comments · 30 reposts
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Constance White, CPM, CCM, CCE (She/Her) • 1st
Madam Clerk Pierce County Clerk of Superior Court
9mo
Yes, so many emotions reading this. So many of us are experiencing these same challenges. I would like to know if there is a group to talk with and get some assistance on navigating the deep rooted challenges.
Like · 1 | Reply
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January 2, 2025, at 11:00 a.m.
Constance White, Vicki Moll, Alyssa Cavanaugh

Constance was walking down the hall with Ayana around 7:20 a.m. and passed Mark Kindig in the hallway. Constance asked Mark, “why are you here so early? since she knew his start time was 8:00 a.m. Mark replied, “why are *you* here so early?” According to Constance, she explained the employer’s obligations to pay non-exempt employees for hours worked and she thought he started at 8. The interaction ended and Constance went to her office. About 5-7 minutes later, Mark came to her office and closed the door behind him saying they need to talk and that he didn’t appreciate “being accosted” by Constance. Constance responded that was not her intent and if he felt accosted, she apologizes, but had every right to ask due to budgetary implications, schedule adherence, and prior approval that is required for OT. Mark also asked if Constance asks other employees about their schedules. Constance confirmed and restated employer rights.

No safety concerns were stated. When asked, Constance simply stated she “wanted it on the record.” Vicki asked Constance what she needs from HR and she had concerns with Mark adhering to his schedule as he stated. Vicki said she’d follow-up with IT to see if she could get badging access.

Meeting January 22, 2025 at 1:30 PM via Teams
Constance White (CW), Alyssa Cavanaugh (AC), Tara Hallam (TH), Tonya Moore (TM)

Meeting began with review of the badge access report. CW was noting dates/times of entry.

CW …on 12/24 – he came in 7:06, Mark is not scheduled to start until 8:00. He was up on in room 304 and then 309 and then 253, all before his actual start time. And during those times what he's doing is going up to get working copies.

AC How do we know that?

CW Because there's no reason for him to go up to those floors during, during, before work time. And on January the 2nd when this particular incident occurred that I contacted Labor about. When I said something to him, which was by around 7:20ish, he was he was holding working copies in his hand. And he was coming from either, he was coming from the direction of either the stairwell or the elevators. Regardless, there's no reason if he's not working. There's no reason for him to be up on those floors. There's I don't have any. I can't say that that's what he was doing, but I can say there was no reason for any work to be being done at that time. And I guess I would have to ask that if there's cameras up on three to see exactly where he was going. But if you, you can see where it says Tower Room 304, court room, secure hall. Tower Room 339, work room door, 2:53 pm. Superior Court criminal division. I don't know why else he would be going in those, especially considering that. Every day it's the same routine. So, when this occurred, when the on the second, when I asked him, I asked him and I said, well, what hours did you work last week, which would have been the 23rd through the 31st, he said. I worked 8:00 to 4:30.

AC So it was when we talked on the 2nd I know Vicki was gonna reach out to Security and didn't receive, there was some delayed responses in that process, but now that we have this. So, it's my understanding from that conversation we had that Melissa was going to talk with him and remind him and put him on notice that his working hours don't start until 8:00 clock. That overtime, you know, needs prior approval. If I walked away with something different than you or Vicki, I think was under the same impression. But let me know that was my understanding. Next step. So, I'm curious if you got the same thing? If Melissa's had that conversation?

CW I verified with Melissa that day. I said I don't know if Mark has come to you yet, but he and I had a conversation about his hours and she says, yeah, he came and told me he had a conversation with you. And I said Mark's hours are 8 to 4:30. I need you to let him know that that's what his hours are. And I told her. And I said because we're still working 7 1/2 hours. He has not been approved for overtime today. He needs to only work 7 1/2 hours today and so she said that she said she would let him know that. She says I will tell him because I'm the only one that Mark listens to. And I said, well, Mark needs to listen to who Mark needs to listen to. These are the rules, and he was told by Human Resources that his hours are 8 to 4:30. When he came back off of leave. And I said, and I know for a fact today which was January, the 2nd, that he was working prior to that time. So, I wanted to ensure that; look, he needs to wear only work the hours that he's supposed to work, which is 7 1/2. As you can see, after that conversation he it appears he one day, the 30th. he came in at 7:41. The next day was 7:46. So I am just left to assume that he is adhering to what he is supposed to. But the fact that, he one was not truthful in saying that he

worked these hours. If you look at the location and the times and it is very routine of what he's doing each day.

AC I think we really can't take any action against him for perhaps not being truthful in your conversation. There are notice requirements if we're going to do an investigation that then is going to lead to discipline. He has a right to union representation during that questioning. Particularly if we're going to issue discipline. And so if we were going to do that, we'd have to call him in, provide him that notice so he can secure union representation should he wish. And then ask him some questions. However, it looks like from what you're telling me after he had that conversation with Melissa or Melissa notified him *'these are your working hours. You need to adhere to that'* that he's corrected the behavior. Unless we have some other concerns or evidence that he has not, but he doesn't appear to be coming in so early. So. I would say that's where we're at right now. I would definitely, if Melissa hasn't, she should create documentation of that conversation she had with him. I'm not sure she followed up to him with an e-mail? Or if she put it in her supervisory file? Either one is fine at this point. If she had the conversation two weeks ago, I wouldn't suggest going back and emailing at this point. I think if she just has some something where she's documenting, you know, his performance, that is perfect with the date and what she said to him and his response and everything. And then if it continues to be a concern, we can certainly address that. I think 15, and tell me if you disagree, I think 15 minutes early is actually a good thing. Of course, providing you know he's not accumulating [crosstalk]….

CW …Yeah, that's not a that's not an issue. Yeah, I would expect that part of it and and those aren't, that's that's not the days that I'm talking about. You know, I mean I'm looking more, you know towards the 26th, the 27th, the 30th, the 31st and the 2nd, when he clearly understood, based on a conversation that I had with Rachel Rue, that he knew what his working hours were. And based on the Team's message that she sent to me, she stated that she had spoken with him. He understood that his hours are 8 to 4:30 and his response to her was "well, I'll talk to Melissa about that." Don't know what that means. Just like she said. I don't know what he meant by that. But he did that the first day and then everything days after that, he came in earlier. So, but if that's, you know, if that's where we are, then I guess that's where we are. [approx. 1:41 PM]

AC If… [crosstalk]

CW But I just kind of want, you know, on the record to I don't appreciate the way that he spoke to me. I don't appreciate him coming in my office. One without any type of notice, bypassing closing my door, closing me inside my office, standing in front of my door with his arms folded. So I want that on the record. I have that documented. Because his behavior and the way he approached me violated two of our policies in the Administrative Guidelines. And so, I am just saying this because I kind of want it on the record that. And when you say that if we were, if we were going to do that, then I don't know if the timeline. Because here we are. That happened on the 2nd. I don't know if the timeline has anything to do with how we respond. But considering that I was waiting for Vicki to get back in touch with me and she had to wait for I guess Tom Heslin to get back in touch with her. - those aren't dates that I can I have any control over. So, I'm really not sure. And if you guys could help me to know what to do if something like this happens again, because the day that it happened, I contacted you almost immediately and we got on the calendar that same day. And so, I waited to hear back. And it wasn't until I sent another message

and Teams message looking for Vicki but noticed that she was out of the office, and it said to contact Tara. Umm to find out. I know, Vicki said if you need anything else, contact us. Well, I don't know. I guess I'm… was looking for direction from Human Resources and maybe that was my mistake. I just, you know, I just kind of wanted it to be known that looking back at the Administrative Guidelines, you know it is very disheartening to know that individuals can continue to be disrespectful and say things and not be held accountable for their actions.

AC So… [crosstalk]

CW I will get with Melissa and see if she out something in her supervisory file. I will see if she sent him an e-mail as a follow up because I'm not sure of that. But I will follow up with her. And if she has not, I'll just, you know, just let her know if she can just continue to remind all of her employees of their working hours and that any time outside of that, if it's earlier than that time, needs to be approved. I think we will probably address it collectively, as a department so that everyone is aware of what's of what their responsibilities are.

AC And I understand what you're saying, and it is certainly not our intention to let employees get away with violating policies or anything of that nature. When we talked last, I don't recall safety concerns or violations of the Administrative Guidelines or anything to that effect. I remember you saying you wanted it on the record. I remember that he closed the door behind him, and it wasn't the most pleasant conversation with, him saying he didn't appreciate the interaction. But if what you're saying today is definitely concerning, and if there are safety concerns, I mean I want to talk to Melissa, and possibly do an intake on more of the interaction and what took place with Mark. I mean you can [crosstalk]

CW I mean, I'm. I'm I'm. I think I'm fulfilling my responsibility and letting you know. So, it's I guess if you choose to move forward, if you don't choose to move forward, I'm OK with either one because it just is what it is. So, just so you know, I mean we have the information and like I said, I will follow up on what I need to follow up on with Melissa.

AC OK. I'll be in touch regardless, Constance. So yes, I think that's where we sit right now. Of course, I need to run it through my chain. But yes, we'll be in touch, OK?

CW OK. Thank you.

General closing pleasantries.

Ended at 1:46

January 31, 2025
Intake Meeting with Constance White, Vicki Moll, Alyssa Cavanaugh

VM Let's start at the beginning. Which employee are we talking about?

CW Mark.

VM You, me, and AC had a conversation earlier this month regarding Mark. Is there something else? Back to that day?

CW I talked with AC and Tara (Hallam) about where we were with him and the information you provided. I was looking at next steps, what are we doing? I don't have my notes here. It came back as, since he's corrected the behavior, this is where we are. The fact that the way he came in my office at me and spoke to me, there was – I guess that was the end of it. My concern was the fact, the way he spoke to me. He was not honest in what he was saying. He came in unannounced and uninvited and stood in front of my door with me in the office. It was, to me, not appropriate but when I said something about it at our last meeting with Tara, I guess it appeared this was new information. I had said that there were policies violated and I got the recap of the meeting from AC on summary and next steps. I'm trying to find it, here. My concern was one, this is not the first time and an employee has made me feel uncomfortable and unsafe in my space. I was bringing all of this to everyone's attention. I'm trying to find my notes. It's just an on-going issue, cycle, and behaviors in this space that is to be deemed appropriate. For me, I don't know, it's not appropriate in my mind so I guess that's why we're here today. I don't know what this classification of "intake" means.

VM We'll talk about that. I think you've given us information to ask questions. Want clarification – when we talked at beginning of last month, I don't recall that you used the word "unsafe" about what happened in your office. Today you said, "he came in the office at me."

CW When I spoke to you, we said he bypassed Kasey and you asked about statements from Kasey and Ayana. I told you I did get those. That was because of the way he came in. He walked in uninvited and closed the door behind him and stood in front of the door.

VM Do we have those statements from Kasey and Ayana?

CW I have them.

VM Please forward to AC and me.

CW Sure.

VM When he came in unannounced and uninvited, he closed door behind him.

CW Yes and I was standing at the table in my office because I was taking down my xmas tree and he stood in front of the door the entire time. Hand on the handle and door was closed

for a couple minutes. Then he folded his arms, took his hand off door and folder arms. It took me to a place that I was at before with another employee

VM Chris?

CW Yes. There's a heightened anxiety and I'm trying to talk with him and let him know I have every right to ask why he was there, and he started questioning me saying, "do you ask everybody?" I said, "yes, we have to and we have to compensate" and that's why I was asking. Then asked about his schedule and he said yes he worked 8-430 last week. But looking at info you provided, he was coming in earlier than that. During last meeting with Tara and Alyssa, A was asking how you know he was working and other days, outside of ½, I don't know. He's very habit forming, going to third floor to get papers and on Jan 2 I knew because I looked at papers and he had working copies from judges.

VM You can tell by some degree when he accessed courtroom?

CW Yes.

VM Kind of want to separate. Talk about Mark, going forward, what do you want to do? Ask him further clarifying q about badge swipes?

CW No. Just trying to figure out how you hold employees accountable for behavior they know is wrong? How do we prevent other acts? I don't know what to do anymore. Whenever I bring something, and we start down path it changes. I just want to know how to address my staff because I'm so unsure about things. I want to be able to say, this is what it is, this is schedule you're supposed to work, don't get to pick and choose. I don't sit out in front and monitor people coming in.

VM You shouldn't, not part of your job. With Mark, disregarding badge swipes, if I still had questions about aligning data with what he indicated, 8-430, would've looked into that further and depending on determination could be brief email if I found he was lying it could be something more. Would've started email with yesterday when we met, discussed working hours 8-430 which you were notified of, that's schedule you're currently working, reaffirming in email and if you have questions about expectations let me know. So in future he can't get slippery and wasn't clear. With that email, if Friday then Monday, shows you talked two times. Back to how you felt, more complicated and I'm sorry you aligned with context more than just that moment. How did that meeting end?

CW He walked out.

VM At any time, did you think about asking him to set up time to meet?

CW No

VM Prefer if he kept door open?

CW No

VM When he asked, do you ask everybody, you were under no obligation to answer that.

CW I'm sure I wasn't but, okay.

VM You were standing at the table?

CW Yes.

VM Just because he came in and closed door doesn't mean needs to happen on his agenda, your office space. Uninvited, can say I'm happy to talk with you if you setup a meeting or send me an email but this convo is not going to take place right now, Mark.

CW Alright.

VM How has Mark been? Any interactions?

CW No, he won't talk to me.

VM What od you mean?

CW He walks by and avoids me and he'll say good morning if I do. And I think we just leave it at that.

VM Do you think his behavior is approaching disrespectful or unprofessional?

CM Don't know the definition of disrespectful. Different with everybody. I like to have conversations with staff but if they don't want to talk, I'm not going to force the issue. I don't want to be accused of trying to make them talk to me so I say "good morning" and sometimes they respond, sometimes not, and I just keep moving.

VM Who does he report to?

CW Melissa Engler.

VM Who does Melissa report to?

CW Tonya, who reports to me.

VM Has Tonya or Melissa given you feedback about Mark and his conduct?

CW Melissa has talked about him; that Mark likes to do things his way and she's the only person he'll listen to, which was the conversation I had with her about this and she said she'd talk to him because he'll listen to her. Mark needs to listen to everyone, he doesn't get to choose. This is how it is over here.

VM Melissa followed-up?

CW She said she'd have conversation with him and that was the end of it.

VM Is it okay if I reach out to Melissa and ask about the follow-up?

CW Sure.

VM Do you think there needs to be a conversation with Mark about his interactions with coworkers?

CW (long pause) I don't know. I'm just at a loss right now. There's a lot going on right now. There's just a lot going on right now. I think if you speak with Melissa about the follow-up, she would probably be the best one to remind him of how he acts with people because it's very clear, not just from Melissa saying it, but also Tyler, that Melissa is only one he'll listen to. If anyone is to say anything about basic interactions, that's something we all should remember - just being respectful of one another and that is on my agenda for our all-staff meeting next Tuesday. Just as a reminder for everyone, that sometimes the way you respond and interact with others, we need to be a little more conscious of the way we speak to one another or don't speak. There's just a lot going on, so I'm going to use some of this as an opportunity to do a blanket reminder to everybody. New year, new admin, moving forward. There are a lot of things happening with the renovation and people getting displaced. I'm just asking everyone to allow grace in this transition that's coming.

VM Good message. Do you take attendance?

CW No, I haven't.

VM It's a big space. Do you have an agenda?

CW It's going to be. We've never really had one because it's just been on the fly, but what we're doing now is really trying to build more structure to these bigger gatherings in addition to requiring managers and division meetings to have agendas. There are times we talked about things in management meetings to filter down so, with an agenda, it's easier to relay to everyone as it relates. Just a lot of different things that we're trying so we can get everyone, not necessarily on same page but at least in same book so we can all see that, although change is difficult or hard, it doesn't have to be viewed negatively. In that, we do what we can to listen to individuals and concerns. There's a better way to try to do that, and we can put together agendas so people have notice of what will be discussed and if there are questions, they can formulate those before.

VM Always good, too. You seem to get better interactions/exchanges that way. I asked about attendance because, if there are conduct issues and we've covered the expectations, it's nice to know who heard it. Can also email with the agenda or, "this is what we talked about," which is probably even better. Communication is a balance between the words spoken and negative space of what's not said. You said, "the way he spoke to me, and he was not honest," what was the tone? Did he raise his voice?

CW Yes.

VM Demeanor?

CW Confrontational.

VM Anything else?

CW Typically, body language is when they fold their arms, they're not receptive to information or what I'm saying or anyone else. Only defensive.

VM After that, you mentioned policy violations?

CW What we keep talking about is the DEI policy and being respectful in the way we communicate. These are things that could've been handled differently. It's like… I don't know how to explain it. I try to be careful in my words and when I speak to people, whatever I'm communicating, is being in a space where you read the room. It's hard to explain. When someone comes into a space that you're not expecting and accusing you of something without giving an opportunity to respond, and when you're responding, they don't like your response, so they continue to interrupt or cut you off. That was the interaction when Mark and I have never had that type of interaction before. I was very taken aback by it and surprised. I don't know.

VM Has Melissa ever come to you, or Tonya, with these issues? Disrespectful or confrontational?

CW It's been deemed that that's just Mark. Mark being Mark.

VM When we spoke before we concentrated on hours. The interaction in the office – was it 2 minutes? 5 minutes? 2-5 minutes?

CW Probably about 2-5, wasn't long.

VM Ayana and Kasey saw the interaction in the hallway?

CW Yes, based on what she saw and heard. She didn't stay long. He said I accosted him and I said I asked you a question/why you were here so early. He didn't appreciate me q him in front of another ee. Said I just asked why here so early and she didn't even hear whole convo, she kept walking. She didn't even hear, just kept walking into office. Same thing, don't appreciate you accosting me in hallway and I said what are you talking about? Just asked q. Took me aback. First thing I said to him was GM. Then I noticed it was the time and said why are you here so early.

VM Going forward, what helps you today?

CW Talking it through with you. Maybe looking at some things I didn't ask for because it's hard for me to do; and that I'm not under an obligation to answer his questions. It's hard for me not to because I'm afraid of what will be said if I don't. I don't know if that makes sense.

VM I understand that, but you already have a disgruntled employee. At that point,

CW Answering the question is me trying to deescalate, not make it bigger than what it is and just responding to try not to make anybody else even angrier at me, for whatever reason.

VM You don't control that.

CW I know.

VM I totally get it and understand the reason behind it, but if it doesn't fit your schedule or it's not conducive or you need space between events, you can say, "let's talk later, it's not a good time." You don't need to explain why.

CW This is helpful for me to be able to talk it through and get some pointers on how to handle these situations without… just to handle it better.

VM And if he chooses to spread it around or change your words and it gets back to you, you have conversation that's a little bit different. "Help me understand why when this doesn't impact our work at all." Can be had with help of HR, Ayana, Kasey. Just to observe and take notes, if needed, but you are in charge and he needs to respect that.

CW Okay.

VM Do you think, going forward, that Melissa and Ayana have the tools to manage? I've been at PC and don't know if it was COVID, but it comes across frequently that there are some supervisors and managers who need more tools.

CW That's something I'm looking into. The supervisors we have need some more tools in establishing supervisor/employee relationships rather than coworkers. When asked to do performance evaluations, it's been difficult for them to point out if someone is not doing something they should be. They don't know how to communicate it. Tonya and I are looking at different things and trainings in order to assist them. They have these close relationships with everyone and when someone is not doing what they need to do… They also have relationships outside of work.

VM Peer to supervisor is a whole silo of training/different transition.

CW I understand some of that, that's why we've been putting together tools to communicate differently with them so we can all establish some boundaries and be able to talk with them about how we can better move forward. Managers in meetings, we're ok. When we have a meeting with staff, what's been conveyed in our managers' meetings is not what's conveyed to staff. Those have been ongoing challenges. I'm working with Raul so they understand when we're talking about coming changes, we rely on supervisors to relay information to staff in a way it was relayed to them. I'm finding that's not happening. Trying to figure it out, want to empower them to be supervisors but if they're not relaying information the way it's received, it's just creating more friction, challenges, and problems.

VM Messages coming from the top need to be relayed. If they don't have the skills to change or modify body language, that can sink the ship.

CW It's kind of been a challenge we continue to experience, where they're having sidebar conversations but none of that information is getting to us until it's a blowup.

VM How many on Ayana's level?

CW She's an Acting AA4. She's technically an AA3 but she's a supervisor. Ayana walked in the building at the same time I was walking off elevator and we were walking together down the hall. She doesn't have a lot of interaction with Mark because she's finance. Melissa is the direct supervisor.

VM Messages from the top, from you to the next level, then the next level, you're losing 10%? 30%?

CW When all of us are together, myself, Tonya, Shaneeka, all the supervisors. When we're together, we're talking about a lot of things. Each supervisor has updates of where they are. I relay the updates happening office-wide and about the construction, laws, my first cabinet meeting with the new Executive. That's the information I ask them to relay to staff. Want staff to know the management team is involved in conversations. Inviting them to be part of these meetings, and it's been relayed when I talk in an all-staff meeting they're like, "we never heard about it." I say, "we talked in the managers' meeting."

VM Picking and choosing?

CW Yes. Tonya and I are trying to find different approaches to relay information. I talked with Tonya, she just had a meeting with labor. She was told supervisors have problems because of the new schedules. If it's an issue, it would be nice for us to know so we can help. It's hard when everyone is talking amongst themselves and not coming to us so we don't know. Things go crazy and awry; we're reacting trying to fix it. If we could know ahead of time, if staff are talking to supervisors, I would hope the supervisor communicates with us so we can come up with a solution. Good example, 1.5-2 years ago Tyler Wherry told me I don't need six people at the counter. When position became vacant, I reassigned it. Then he said, "oh, well, now I've got these 2 people out and I need that person back." Those kinds of things; but you've been telling me you don't need six people so we realign and now we've given the opportunity to others and you're saying "no." I don't want to say sorry to that other person, we're taking away the opportunity. These are mixed messages. I'm trying to figure it out. I know I can't make everybody happy, but if we can communicate better with each other… These are the challenges I talk to Raul about. He's trying to help in some training and getting us together, just so that the whole team knows I'm listening, I hear them, and it may not always pan out the way they want in a pretty little box but I hear them. I don't know.

VM Is Raul looking to help virtually or delivering a product in-person?

CW We had a couple sessions in-person. He's done some with supervisors, just us, all together. It's been months since we've done it so I'm like, we need to get back together again. I see us reverting back to the old ways and it just puts us on this wheel. I know it'll take work and time and I'm here for the long haul, but the haul is getting heavier. Supervisors can assist in minimizing these things by being supervisors and taking on the responsibilities that go along with that.

VM That's hard to do without boundaries.

CW Right.

VM I'll put together some bullet points on a cheat sheet for you. I want to go back to the beginning, you don't feel unsafe today?

CW No, I don't. I feel fine.

VM We'll check-in the third week of Feb to take the pulse.

CW Okay. Sounds good.

February 20, 2025 at 9:00 a.m.
Andrea Kelly (AK), Vicki Moll (VM), Alyssa Cavanaugh (AC)

AK This is not new. VM, not sure what you know?

VM I'm familiar with the background.

AK Did I have to participate? Just trying to figure out when does this stop?

AC Yes, you do have to participate and it's in outlined in the AGs – 3.16.080A. Much of HR has been conflicted out of the current investigation which is why you received an email from Paula.

AK I left a job. I heard that from you guys that there was nothing you could do – hands were tied. Seems predatory; this is abusing HR and tax payer dollars for what I believe are illegitimate complaints from my interactions. I know, AC, last year you asked what I'd like to see happen. I'd like her to leave me alone. There is still overlap, I'm lead for the Public Safety Committee (PS). I'm the staff person for PS, she's in the court system so if constituents call with complaints about the Clerk's Office, which hasn't happened, I create and schedule agendas for PS. On this one the Clerk's Office, not Constance but Nicole Carbone, reached out to me in September saying, "we'd like to get on PS schedule." I said, "sure, here's the information and what we'd like to hear from the Clerk's Office." She said, "great, we'll schedule for January." It was moved back due to new Council members. I said on 2/10, sorry we couldn't get you on the schedule for the end of 2024 – already booked. CW said they weren't available, March? Did 2/24 and gave topics. It's a 2-hour committee meeting. I get an email from Paula about the interview then an email from Nicole saying they will not be presenting on the state auditor's report. CW presented in April 2024 and the question from Council was about what they presented in April and for the implementation (of corrections), what have you done since? There were findings regarding a lack of internal controls. Asked them to report on that and the Tiffany Hill Act. That was it in September. They got new positions with the budget, and Council wants to hear about the money that was allocated to the department. Within a week, I get information that they're not presenting on the audit report and want to wait for more results. I went to the chair and updated him. I get a call from LeeBeth on Tuesday and asked to talk. She said the Clerk's office was confused about what I want them to present, they can't present on the state auditor, and that Council is pressuring them for a presentation. This was after I've had this interview with Brenda. The timing seems pretty deliberate or coincidental. I sent LeeBeth the email thread where I stated if there's anything the Clerk's office wants to present, let us know. It's five slides and LeeBeth said there's nothing to say. I said the Chair knows about it. She's (CW) telling Leebeth I've been hounding them and about the auditor's report – lies. Now they have a 5-card card slide deck and I reserved two hours of meeting space for them. My paranoia, but feels like they're trying to sabotage my current position. The rational side of my brain talking is that she's (CW) so overwhelmed that regardless of the email chain, this is how unprepared she is. Feel retaliated, harassed against. Don't know what to do with it. Thankful I had a whole email chain because she spreads falsehoods. I can say that because she's said that.

08/29/25 Meeting Notes

VM When was meeting with Brenda?

AK The 13th.

VM Did she indicate she wouldn't need to talk with you anymore?

AK She reached out to clarify my job title then she said if anything else, for me to reach back out. I followed-up with an email and said I'm not sure of the scope if you want to hear, I know I'm a broken record for the last 2-3 years. At this point, all my information is old with the exception of last week. Can just speak to what I've experienced then. There wasn't a scheduled second interview or anything. She said she was wrapping up the investigation.

VM Attacked, harassed, retaliated. By CW or other people?

AK From her but she hasn't reached out to me. But that whole email chain was through Nicole, and she said "CW says this, CW will present." Nothing malicious in the email, it was professional. No problem with Nicole, I don't feel attacked by her, she's just doing her job. I don't envy her position because I know it's a tense place to be where you want to stay on the good side of your director. Just CW and her lying to other people about me and sabotaged in my new job. Worst case scenario, it's deliberate. Best case, she's overwhelmed and disorganized but still lies. Maybe I should watch using those words because they have a different legal definition. That's how I feel.

VM There is a difference and both are valid. In order for harassment to stand, there has to be a protected class but that doesn't mean there aren't concerns.

AK That's what I feel like HR has been able to tell me over the last two years.

VM When did you leave the Clerk's Office?

AK October 2023.

VM Are you able to fill the meeting?

AK We'll stretch it as long as we can. I'm trying to pull in filler items but can I schedule another presentation? No, I cannot. I don't have anything like that. I went to the committee chair and said, LeeBeth said this too, on the Tiffany Hill Act they haven't done anything. Where was all of this in September when I asked? Tell me then or get it between then and February.

VM Do employees still reach out to you and talk about dysfunction?

AK Not as much as they used to. Just that they're wanting to get out or retiring as quickly as possible. I come here to do my job. Regarding the day-to-day in the Clerk's Office, I have no clue.

VM Obvious that this is causing you a great deal of concern. EAP.

AK RC2 [redacted] Since I left the Clerk's Office, I've gained 15lbs, which is a good thing, and my hair is no longer falling out.

VM Sounds like you have the tools you need but looking for tools to keep this from popping up. It's possible that an outcome from the investigation would reassure you but I don't know what that will be.

AC Did Brenda respond to you about the scope?

AK Sent that email to her Thursday in the evening. She included Kristin Colgren who I don't know, but it's the same email address as Brenda so I'm guessing it's someone from her firm.

VM Reassure you that impact to your professional career, you have a paper trail, know it went outside of the way you managed things but CW's arm doesn't reach that long.

AK Council/Committee members, I don't believe they're going to call out the Clerk's Office.. They're professional. The committee chair is aware. I left and CW had said that, "I don't fire people, I make an environment where they want to leave." So, is that what she will do here? She trimmed some fat but also did it to a lot of good public servants who have no recourse. I don't know what reason she has for targeting who she does, I couldn't figure out that code.

AC Did Brenda respond to you about this?

AK This all happened after I sent the response with additional information and asked if it was outside the scope. That didn't seem to fall in line with questions she was asking me. I wasn't sure if it had potential to entertain, maybe there's some other reason why it's a psychologically unsafe environment.

AC Are you comfortable with sharing this with your supervisor when this happens?

AK Oh yes. I told Keri before she left for vacation. Would also like to tell Hugh if that's okay?

AC Yes, seems appropriate to keep him informed of the meetings and context.

VM Is there anything you need?

AK Just needed someone to hear.

VM Remember to breathe.

AC I will let you know if I find anything out about this piece as it relates to the investigation. As I mentioned, we're conflicted out but we can pass this along.

AK Thank you.

End 9:32 a.m.

8/29/2024 @ 1:51 p.m. - Constance White & Alyssa Cavanaugh

Constance is very upset with the statement made by John Howell, union rep for Teamsters 117, during today's demand-to-bargain. Specifically, that he stated employees are worried about the visitor policy not being applied uniformly due to employees hired prior to Constance being treated differently than those hired after. That is "my name" and him bringing that to the table and without some specifics for me to address, which is my job, that is highly inappropriate. Stuff like this contributes to the hostile work environment that I continue to experience. AC told Constance she totally understands and while it didn't land that way, it's hard to imagine John's intent was as Constance describes. He's doing his due diligence as a rep to bring forward concerns that he hears from his members, and reps don't always disclose the specifics or details. Constance argued this and said the intent doesn't matter, and that John shouldn't be making statements without providing the details – that's not fair. She wants something done about it and will be sending an email. AC said she will talk to Melissa and get back to her.

Constance, Melissa, Alyssa

CW John was trying to characterize me as something that I'm not.

MA John is just doing what he feels he needs to as a rep. There was an issue with the Teamsters vote, he might've been trying to gain back some credibility with his members.

CW NO, NO, NO! Not anymore. I'm not doing this anymore. I have been on the receiving end of hatred, hostility, since I got here. People are saying things, tell me what I'm doing wrong? Just tell me. Just tell me what I'm doing wrong! How am I treating people differently? If you're not going to give me the opportunity to fix whatever it is, I have, supposedly have done, how is it just okay for somebody to tell me I'm treating somebody differently but they don't want to say who it is or put it in writing?! How is it okay for you to just say it?!

MA John did tell us that some of the employees feel the visitor policy is unfair because you have your family in the office. I don't know if that's what he's trying to relate it to.

CW This is what happened, my son flew up from TX, he was in my office for about 25 minutes! I asked Janelle to come over because she follows him with his music, thought it was a great opportunity for her to meet him. She met him and stood here and talked with him. My family doesn't live here, want to take every opportunity to spend with my family. If that's wrong, let me be wrong. He wasn't out walking around, was in my office talking to me for about 25 minutes then he left!

MA That's why these are so tough, he hears from his employees.

CW Exactly, John needs to do a better job and talk to people being accused. I don't have a problem with it. I have to deal with somebody I am afraid of coming down in this office to intimidate me every chance he gets. And you know what? Also, staff that's here that allows him to come down here. I have a panic button in my office because I'm scared. I have

security watching me to my car because I'm scared! But I'm supposed to let this keep happening to me? If you don't protect me, I'm going to protect myself. If I have to get legal counsel, I will. Tired of being berated, disrespected, hostile environment I have to deal with this every day. And nobody seems to care. When I say something because he's saying something that's being repeated, except my son came one day, one time. I'd do it again. You know why?! This is my office! My son can come and see me if he's flown all this way to surprise me because he understands what I'm going through here. All I ask, I go and spend my own money to make this a nice space for these same people who are so mean to me, won't even say good morning, but I'm treating them differently?! I don't understand that. I buy a 55 inch TV and they say "it should've been a 70, why wasn't it that?" I can't win. I can't win!

MA I have nothing I could say that would make you feel any better. I wish I did.

CW I just want the people to be held accountable. I'm scared, I've told you that. I'm afraid of these people. They are ruining my name and my career. Something I've been working on for 25 years. To come here and just take it all away from me. They don't like rules. They don't like accountability. That's all this boils down to and I don't know how to fix it. And I'm done trying because it doesn't matter, they get to say whatever they want to say. If I say something back, they say I'm retaliating against them. Not retaliation, I just want people to think I'm not mean and what they are putting me through mentally, but nobody cares because I don't matter to anybody in the County. I'm the only one that's looking out for me. People say whatever they want and it's not fair!

MA I can't possibly put myself in your shoes. Nothing I can say to make you feel better. Let's go ahead and end this call and we'll need to connect at a later time.

CW No we don't, we don't. Thank you.

[Constance then hung up the call.]

Anonymous Complaints

'ierce County

onstance R. White, County Clerk
lerk of the Superior Court

30 Tacoma Avenue South, Room 110
acoma, Washington 98402

quadient
FIRST-CLASS MAIL
IMI
$000.60
05/25/2023 ZIP 98409
043M32205711
US POSTAGE

Judy Archer
Human Resources
Annex Rm. 121

To Whom It May Concern,

We are writing with deep concern for an office we have had the privilege to be a part of: The Superior Court Clerk's Office. We cannot sit back and watch Constance White destroy this office any longer. She has demonstrated to our office her incompetency and aversion to educate herself on how our office functions. The inept leadership skills and lack of initiative to educate herself on our court processes and procedures has been detrimental to the support of our staff, the public and office morale. Observing Constance focus on issues and organizations that do not pertain to the immediate needs of the office has many worried about the sustainability and future of our team. She is not capable of being a leader to manage 50+ employees that work for this office.

This used to be an office where all staff enjoyed coming to work and a big part of that was due to our previous clerk and the managing staff. Our last clerk welcomed us to come to him with concerns and always had his door open making the staff feel supported and valued. Since Constance White has become the clerk, we were informed in more than three staff meetings that we need to make an appointment to meet with her and she does not have an open-door policy due to other obligations.

The direction for our office has been completely lost. We have had 3 employees retire 1-3 years earlier than they had anticipated due to the absence of leadership, the dismissive behavior towards the staff, and how she leads by fear and intimidation. We're losing three employees at once and all three are long term employees who have planned to retire here. Their absence and loss of knowledge will be damaging.

We have never seen turnover like this before.

We all take pride in our customer service, eagerness to help, thorough information, and knowledge of various resources to assist the public. It would be devastating if Constance White could destroy what has taken years to build in one short year. Constance White is without a doubt unqualified to run this office. I urge you to launch an internal investigation into this unfortunate and problematic situation.

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CLERK

Although I personally am terrified of the possible retaliation, I must express my concerns and experiences regarding Constance White's incompetence as. From the beginning of her tenure with our office, the entire management team and office embraced her warmly as one of our new team members. As we would, as that had been the culture of our office for many years. Our office is known throughout the County and legal community as a positive, upbeat establishment. We have a great staff and leadership team that are well respected and professional. Unfortunately, this relationship would begin to deteriorate over the next 10 months. After a few months of witnessing this shift in the office morale, I decided to take sporadic notes regarding the behavior of Constance, as well as the office (including staff and morale). Following are some of the notes that I have taken, albeit informal at best. These notes are just from my point of view and experiences. Others in the office have taken a much more detailed approach. These events, along with others noted events in the office will display the culture of the office as being full of anxiety, fear, and perhaps hostility. This is afar cry of what the office was like before, as you know. From the inception, Constance was never interested in meeting with the managers upon her arrival. In fact, it was the opposite. The entire management staff felt confused to a degree. It was bizarre behavior for a new leader not to meet with the leadership team to discuss business.

Below are notes that are in shorthand format

- 4/18/22: Expressed displeasure with me for not watching a preliminary Council meeting. Explained to me that "it was mandatory for her staff". This was the first I was aware of that expectation. I told her that it was noted and I will be attending those going forward.
- 5/1/22: Constance brought Andrea and I into her office to tell us she had selected Emma as her Chief Deputy. She proudly exclaimed that she had told Emma a week ago but told her not to say anything to anyone as she was "Testing" her. Testing her to see if she would say anything to anyone. This is one of her forms of bullying or instilling fear as a management tactic.
- 5/2/22: She held a staff meeting, in which she explained sternly to the office, that "changes are coming rapidly". This phrase, used purposefully without context of the changes, is a common one used by her, in what our office as a whole considers as fear mongering. These comments encourage paranoia and stress in the office as they are constantly on edge worrying about what changes are happening.
- 5/2/22: At the staff meeting, explained to office that her "door is not open" and send me a request to be added to my calendar if you want to talk to me. Also explained, "come to me with a solution, I have enough problems".
- 5/2/22: After this anxiety inducing staff meeting, she explained to the group that Andrew was promoted to Pretrial Services Manager. Was demonstrative in stating that "the hard part hasn't even begun".
- 5/2/22: Post meeting, I was on damage control from her comments. More than seven members of the staff, not management, come into my office to discuss how hostile the meeting seemed. This behavior was a sign of the unapproachableness of our Director.
- 5/16/22: After many follow up emails to Constance regarding the Tier 2 updates, to no avail, I received an email stating the need for Tier 2 updates by the end of the day. A lot of her communications state the haste directives as a sign of power

- 5/24/22: Executive Tier 2 meeting. Over emails between the staff that has been working on the Tier 2 initiatives, she informed the members that they would not be attending or presenting data. These members included on this were Andrea and Chris. For clarification, Andrea followed up to ensure she wasn't needed at the meeting, and Constance responded that she "wouldn't be needed". During this presentation, she told the executive team that Andrea "was unable to make it today", which was a blatant lie.
- 5/27/22: Communication is minimal at best. She tends to do things her way, and not rely on her team with the skills and knowledge in certain fields. It's like she's trying to state dominance by making these decisions or processes without her leadership team involved. For this example, I was made aware that a position reclassification was filed without my knowledge. Proper planning, fiscally, needed to occur in order to make this type of decision as there is financial implications.
- 6/3/22: Presence. Employees, including management, have no idea when she is in or out. Sporadically, I'll receive a message stating she is coming in late, but will never see her come in.
- 7/1/22: She came into my office and stated she needed $2900. She had apparently had a conversation with the Class and comp and had a position changed from a facilitator to her Administrative Assistant. From early on, while the office had needs, the priority for her was to obtain an Administrative Assistant for herself.
- Constance was explaining to me that the best decision she made was allowing Sarah in IT to work from home. I replied that I had no idea that she was doing that. (General conversation). She snapped back at me harshly, "That's because you don't need to know! That's why I put IT directly under me, so I make those decisions" I was in total shock as it was general conversation.
- 7/20/22: Employee came into my office unhappy. Constance had sent an email out to the office regarding the new lenel security procedures. This employee had asked Constance a question regarding the new procedure and CW replied "I don't know, and I don't have time for your questions. I should have put that in the email, but I was trying to be nice".
- 7/21/22: Constance came into my office and was discussing her interaction with a panel/group meeting for a high-profile case. She exclaimed to me that she was disgusted that out of the 66 people thereon, only 3 looked like her in there. Then this conversation took a aggressive turn abruptly to focus on Andrea K. Stating that she was upset with Andrea that she referred to peoples "lived experiences" as their "stories". She continued to aggressively and demonstratively demanded to me that these are not stores, these are peoples lived experiences and for Andrea to refer to them as "stories" is terrible. This situation made me very uncomfortable as she was criticizing another member of our leadership team who is known for dedicating her career to better the community. She was obviously upset and showed disdain toward Andrea.
- 7/28/22: Multiple times from multiple employees (front line employees) that she hasn't had one good day since she's come here. Employees always find away back to me for guidance through situations.

- 8/11/22: Stellar employee came into my office today and told me it's sad that she went from loving her job to hating it because of 1 person. This is a common theme that I'm approached with
- 8/15/22: CW came into my office in disgust regarding the hotel for Andrea being sold out. (Andrea was asked to speak at a National Convention). She explained to me that Andrea wanted to stay at the same hotel as the conference is in instead of walking down the block to the cheaper one. Insinuating to me the detestation for Andrea. At this point, it feels like she is working really hard to sabotage Andrea.
    - More information on this situation can be obtained from Andrea
- 8/16/22: Had 3 managers come into my office today to express that they wanted to sign a petition to remove her from Clerk as she is incompetent and unreasonable. Seems to be a daily occurrence not only with Senior management team, but also main line workers of the office.
- 8/19/22: Came to my office and told me she was going to take groups of employees from our office to discuss the security measures on the door to her side of the office. She told me that it was bigger than just our office and that security was initiating this new measure for lenel badges.
    - Employees through the office do not have access to the Imaging Department and are grumbling
    - I asked Constance going forward if hat section of the office will be accessible by all the employees in the office and she stated "No".
    - It became an issue as most employees need access to that side of the office but are unable to enter
    - It was apparently not a county wide initiative that sparked the installation of these access points.
- 8/23/22: Brought her dog into the office for the day
    - This is has happened multiple times
- 8/23/22: Said to me that the new security lenel on the Imaging door is on and active and the general office doesn't have access. I asked if she was planning on giving the office rights to enter that department and she told me "No", everyone won't, a lot of people don't need access to it". I thought it was odd behavior to split access to our general office. In addition, she has been telling the staff that are requesting access as well as another supervisor that "It's not the priority of the "SOC" and that was the cause of the delays.
- 8/31/22: Employee came into my office to discuss her interaction with CW regarding her application for a Pretrial position and not being pulled for screening. She explained to me that CW told her it was Andrea's fault and continued to talk about how bad that department is. This, to me, was inappropriate discussion with a field employee.
    - This incident has led to a public disclosure request (Business Analyst hire)
- 9/1/22: Regarding investigation of CH. Was informed by line employee that she had told them information privy to management and could be detrimental to the office. Management staff and others were questioned by HR for investigation. It was

communicated with us to not discuss the interviews. Her discussing confidential information with the general office is extremely inappropriate.

- 9/21/22: members of the Legal processing side of the office were holding a meeting in the breakroom. Five employees came to me to tell me that she was sitting outside of that meeting unbeknownst to anyone in there, listening. Field employees that reported it to me saw this as upsetting and regardless of intention, the perception of her actions in the current cultural climate is not conducive to a successful operation.

Above are just a few of the notes I have taken over time. In addition to the shorthand notes above, other items of concern have evolved. Before resigning from her position as a Business Analyst, Danielle O'Gallaher was, as Constance called her, "my person". This was her confidant and she shared much information with DO that should not have been shared with her as her position was not privy to that type of disclosure. Before she left the office, she explained to me all the types of information that was being told to her by CW. On DO's last day, she advised all of us that she felt sorry for all of us and that a few of the managers should start looking for new employment as she was on the hunt.

In addition, it is the common theme that employees in the office are openly looking for new employment. As well, many employees have inquired with me regarding being added to the transfer portal list, but all are afraid of retaliation. Recently, a long tenured employee filed for retirement early as she was unhappy with the state of the office.

I have noticed that employee attendance has been down. I have ran a report for PTO 2022v2021 and can see a drastic increase in that number. This may be contributed to the poor morale created in our office. RC4 [redacted]

For me personally, I have a fear every day of the unknown. There is no sense of comfort and the environment created is not one that is built for success. As you have read above, this is a common theme. RC7 [redacted]
RC7 [redacted]

Teams Messages

Monday, May 9, 2022

5/9/2022 1:34 PM

Last week you mentioned the names JJ and Danielle. Do you know their last names?

RC5

Constance White 5/9/2022 1:55 PM

JJ - Justin Joyce; Danielle O'Galleher

5/9/2022 1:57 PM

Thank you!

RC5

Constance White 8/22/2022 9:30 AM

Can you please direct me to the policy that outlines the Loudermill and anything that relates to it? I am trying to understand the process and how long the delays can continue.

8/22/2022 2:10 PM

We do not have a policy on the Loudermill process as it stems from the *Loudermill v. Board of Education* case which gives public employees the due process right to be heard before discipline is imposed. This one is a bit different because of the public records request which is the reason for the delay as we must conform to the Public Records Act. I am certainly happy to chat about this further with you.

RC5

Constance White 8/22/2022 2:23 PM

I do understand compliance with requests and I do not know the extent of research that is involved with fulfilling the request. I guess I am trying to understand why the necessity for an additional three weeks when this situation has been in process since May. It is quite unsettling when there seems to be resolution and allowing myself to become confident that I am able to put things behind me, I am again cut off at the knees and have to endure an additional three weeks. I understand the coordination of schedules. I do apologize if this sounds as if I am complaining, I am not. I am just concerned for myself. Thank you for all of your continued support, it is appreciated. Lisa H. also reached out and stated she would schedule some time to discuss the documents. I did ask where I needed to submit a public records request because I want to be informed of the information that he will receive.

8/22/2022 3:11 PM

I certainly understand where you are coming from and I think Lisa will be the best resource for you in answering these questions. I'm glad she reached out and I hope you two can connect soon.

Thursday, August 11, 2022

Constance White 8/11/2022 8:40 AM

RC5

Can you please let me know what the timeline needs to be between the delivery of the NOIS and the Loudermill? I want to provide Dan with a couple of option dates, but am unsure if there is an amount of time that is required between the two.

8/11/2022 8:42 AM

I would aim for Friday 8/19 or Monday 8/22

Friday, July 5, 2024

RC5 Constance White 7/5/2024 6:00 PM

I would like to schedule a time to speak with you regarding a binder that I discovered in my office. I am not sure if you are in the office anytime next week. I would prefer the meeting to be in person. Thank you

7/5/2024 8:29 PM

I am getting ready to be out of the office later in the week and all of the following week so I unfortunately don't have time to meet in person. However, I do have time at 2 on Monday if that works for you? I also wanted to talk about Melissa Jaso.

RC5 Constance White 7/5/2024 8:35 PM

I am available at 2p on Monday.

7/5/2024 9:13 PM

Invite sent

Monday, August 5, 2024

RC5 Constance White 8/5/2024 12:03 PM

Can you please let me know when I can come and pick up the binders? Thanks,

8/5/2024 1:00 PM

I can drop them off next Wednesday if that works for you?

RC5 Constance White 8/5/2024 1:01 PM

Thank you

Monday, August 12, 2024

RC5 Constance White 8/12/2024 12:54 PM

I will come and pick up the binders. Can I come and get them? I have a staff meeting tomorrow

8/12/2024 4:28 PM

They are at my house, but I can drop them off oversee the lunch hour tomorrow.

RC5 Constance White 8/12/2024 4:34 PM

Thank you

Friday, January 31

RC5 Constance White 1/31 8:37 AM

Can you please call me as soon as possible? I have an immediate need.

1/31 8:38 AM

I am unavailable right now but alyssa and vicki are calling you now

RC5 Constance White 1/31 8:39 AM

I have an employee from PTS that is currenlty being arrested.

1/31 8:39 AM

Ok, they are on their way to call you.

Tuesday, April 1

Constance White 4/1 11:11 AM

RC5

Good morning, I am inquiring on where I can locate any rules or guidelines on when an employee no call, no show. I am reviewing the Administrative Guidelines, and I may be missing it because I am looking for it. Can you please provide some direction? Thank you.

4/1 11:17 AM

Good morning. I would try calling the employee on their personal phone if you haven't already. I would then reach out to their emergency contact in Workday. If you still do not receive a response, our practice is to contact the Sheriff's Office for a wellness check at the employee's residence.

Constance White 4/1 11:19 AM

RC5

She sent her manager a text message yesterday at approximately 4pm apologizing for not calling or coming in. Her supervisor had called and texted her yesterday morning. We have not heard from her today. I will have her supervisor call her now and if we do not hear from her, we will reach out to her emergency contact in Workday. Thank you for the guidance.

4/1 11:21 AM

You're welcome. Please let me know how else I can help.

Wednesday, March 5

3/5 11:10 AM

We have received one statement from ME which I have saved here: N:\LR\CONTRACT ADMIN\EMPLOYEES\White, Constance (104183)\2025 Investigation

Wednesday, October 19, 2022

10/19/2022 12:10 PM

Do you remember where you saved your notes from the most recent meeting with Andrea?

RC5 Alyssa Cavanaugh 10/19/2022 12:12 PM

I had so many words open I didn't realize I hadn't saved them yet, I'm so sorry! I wonder if we should make a folder for Constance? What do you think?

10/19/2022 12:14 PM

No worries! I would make one for Andrea

RC5 Alyssa Cavanaugh 10/19/2022 12:14 PM

Will do.

Friday, October 14, 2022

Lisa Hilligoss (Unverified) 10/14/2022 3:55 PM

LH

Can you call Constance on this please? Are you comfortable?

[3:31 PM] Judy Archer
Can you or Melissa give Constance a call and talk through next steps and update. A teams call would be best. Thanks

10/14/2022 4:11 PM

Yes. It's a step 3 grievance, correct?

Lisa Hilligoss (Unverified) 10/14/2022 4:12 PM

LH

Yes, Judy agreed to hear it. Thanks!!

10/14/2022 4:12 PM

No probelm

Did you see my chat about AK going to the exec?

Lisa Hilligoss (Unverified) 6/17/2022 9:42 AM

LH

Melissa - Did you receive a copy of the final signed MOE for Chris? I didn't see the PDF in his labor employee file.

Also, do you know if he followed through with the training expectations set out in the MOE? There were 3 courses he was to take prior to 3/18/2022 and to debrief with Constance on them.

6/17/2022 9:58 AM

Yes, he followed through and met with her. I will track down that signed copy.

Constance White Chat Shared

RC5 Constance White 1/21 1:00 PM

Good afternoon, I was wondering if you have a minute to discuss a matter that I discussed with Vicki and Alyssa. I am wondering about next steps, if any.

Hi Constance - I would be happy to meet with you to close the loop, and sent a meeting invite for tomorrow so that we can connect.

Wednesday, March 5

RC5

Melissa Arnold 3/5 11:10 AM

We have received one statement from ME which I have saved here: N:\LR\CONTRACT ADMIN\EMPLOYEES\White, Constance (104183)\2025 Investigation

EEO Complaint

Sent: Tue 4/8/2025 2:24:29 PM
Subject: FW: Investigation Closure Notice
Received: Tue 4/8/2025 2:24:24 PM
Pierce County Executive Summary Report_B. Bannon.pdf

Ogletree Deakins

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CONFIDENTIAL MEMORANDUM

TO: Julie Demuth, Acting Deputy Director, Finance Department
Treja Miranda, Deputy Prosecuting Attorney

FROM: Brenda L. Bannon, Investigator

DATE: March 14, 2025

SUBJECT: ***Executive Summary Report; Pierce County Clerk's Office EEO Investigation***

I. SCOPE OF INVESTIGATION AND SUMMARY

On or around October 11, 2024, Pierce County ("the employer") retained my services to conduct an outside impartial workplace investigation concerning allegations of improper workplace behaviors to include harassment and hostile work environment discrimination based on race. The need for the investigation grew out of statements made by RC1 or "Complainant") during and after a March 21, 2024 Diversity, Equity and Inclusion Strategic Oversight & Coordination Committee ("SOCC") meeting.

The investigation scope included evaluating whether current/former County Clerk's Office subordinate staff harbored discriminatory animus towards RC1 such that they created a hostile work environment for her and/or facilitated a workplace of "mobbing" as described by RC1. In her interview, RC1 also raised with the Investigator other aspects of her employment that caused her concern; selected illustrative examples will be addressed below.

Between November 26, 2024 and February 27, 2025, the following witnesses were interviewed: Complainant,[1] RC1 (01/13 & 2/27), RC1 (01/14), RC1 (01/21), RC1 (02/10), RC1 (2/12), RC1 (2/13) and RC1 (3/13). Each witness was interviewed remotely using videoconferencing technology. RC1 was my main point of contact to coordinate witnesses. Upon his retirement, I worked with Julie Demuth, Acting Deputy Finance Director. The PAO and Demuth helped compile relevant documents.

[1] Complainant was interviewed on 11/26/24; a mutually planned 12/09/24 follow-up interview was cancelled by Complainant; after many efforts to reschedule, on 02/26/25, a follow-up interview was attempted but was paused over logistical disputes once it began. No other interview was requested by Complainant.

Atlanta ▪ Austin ▪ Berlin (Germany) ▪ Birmingham ▪ Boston ▪ Charleston ▪ Charlotte ▪ Chicago ▪ Cleveland ▪ Columbia ▪ Columbus ▪ Dallas ▪ Denver ▪ Detroit Metro ▪ Greenville ▪ Houston ▪ Indianapolis ▪ Kansas City ▪ Las Vegas ▪ London (England) ▪ Los Angeles ▪ Memphis ▪ Mexico City (Mexico) ▪ Miami ▪ Milwaukee ▪ Minneapolis ▪ Montréal (Canada) ▪ Morristown ▪ Nashville ▪ New Orleans ▪ New York City ▪ Oklahoma City ▪ Orange County ▪ Paris (France) ▪ Philadelphia ▪ Phoenix ▪ Pittsburgh ▪ Portland, ME ▪ Portland, OR ▪ Raleigh ▪ Richmond ▪ St. Louis ▪ St. Thomas ▪ Sacramento ▪ Salt Lake City ▪ San Antonio ▪ San Diego ▪ San Francisco ▪ Seattle ▪ Stamford ▪ Tampa ▪ Toronto (Canada) ▪ Torrance ▪ Tucson ▪ Washington

I have compiled and reviewed contextual background information and relevant employer documents to include relevant personnel documents, the Clerk's Office Org Chart, the Employee Handbook, specific Human Resources investigations and findings, various personnel complaints and management follow-up memoranda and notes, exit interview summaries, miscellaneous memoranda, miscellaneous email, miscellaneous notes, transcripts, relevant policy provisions, news articles, and relevant publicly available information. Also, the PAO provided a summary memo of events and related documents at the start of the investigation; all of that information has been considered by the Investigator. The documents are too voluminous to individually list here. It is the Investigator's normal practice to accept business records prepared in the ordinary course of business as conclusive regarding dates and events. In an effort to protect the confidentiality of the investigation and to preserve the overall integrity of the general investigative process, I have only referenced participating witnesses' names in the narrative of the report where important to the overall context.[2]

II. POLICY PROVISIONS AND LEGAL STANDARD

The Investigator reviewed the applicable employer non-discrimination and anti-retaliation policy guidelines as the construct for the scope of this investigation. In her August 30, 2024 email to HR, RC1 also provided an excerpt from the County Administrative Guidelines as follows:

> Administrative Guidelines 3.16.030 Prohibition of Discrimination and Harassment. Harassment Defined. Harassment is a deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive sexual, racial, gender-based, national origin, religious, age-based or other class associated stereotypes and perceptions of social behaviors. Harassment can be verbal, non-verbal or physical. *It is not necessary that individuals intend their conduct to be harassing or act with a malicious or mean-spirited motive.* (emphasis in email).

"Mobbing" as referenced here generally refers to collective workplace harassment, ganging up against, and/or humiliation by employees against another employee, a concept introduced to HR and the Executive team in this matter by RC1 On August 30, 2024, following a "demand to bargain" labor management type meeting, RC1 sent a 3-page email to HR Assistant Director Melissa Arnold (copying several others) regarding the Clerk's Office new visitors' policy and a dispute that arose during the meeting; RC1 reportedly had cried and yelled at the HR representatives in a 08/29 Teams debrief meeting; RC1 specifically included the following definition of mobbing in her 08/30 email: *"Mobbing occurs when a group of individuals collaborate to intimidate, bully, harass, or pester one other individual. In a workplace, mobbing is when a group of employees participate in hostile behaviors towards another employee that makes it difficult for that employee to perform their job tasks and feel secure."* ***

This report is an Executive Summary report and is not intended to be a comprehensive recitation of all the information that was collected, reviewed and considered as part of the investigation. The examples discussed in this report are thus intended to be illustrative and not exhaustive. If a description is a direct quote, it will be noted as such by quotation marks. The findings and conclusions set forth in this report are based on the entirety of the record considered by the Investigator and are

[2] RCW 42.56.250(1)(f).

not limited to the factual information contained in this report. The findings are based on a "preponderance of the evidence" standard which means that based on the credible evidence gathered during the investigation, it is "more likely than not" that an event occurred or did not occur as alleged. Background information is presented as context for the current workplace analysis. Finally, this report is not intended to provide any legal conclusions or offer any legal advice and should not be construed as such. Credibility determinations are made here where there is variance amongst witness statements or recollections.[3]

III. SUMMARY OF INVESTIGATION AND FINDINGS

At the outset, it is noted that several factual disputes exist. The parties generally acknowledged and/or referenced the same events but at times relayed varying recollection and personal perspective about the events. The one-on-one meetings between Complainant and others are without independent witness accounts as to what occurred or what was said at these meetings. In order to assist the Investigator in evaluating somewhat differing accounts of the specific content of events, the Investigator has reviewed the general chronology of events and various written memoranda that are relevant to these meetings and events, such as emails, summaries, transcripts, notes, and media coverage. Additionally, RC1 told the Investigator that she has no recollection of any person speaking to or about her using racially disparaging terms, slurs or jokes.

The weight of the credible evidence fails to support a finding that race-based or color-based animus motivated the events described by RC1 The evidence evaluated in this investigation fails to support deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive racial stereotypes and perceptions of social behaviors. A.G. 3.16.030.

A. Employment History, Current Role, and Summary of Concerns.

2021. Following an appointment and confirmation by the Pierce County Executive, on December 6, 2021 RC1 began her position as RC1 as a part of the Executive branch of County government. This is the same position RC1 currently holds. This appointment was made after a national search, October panel interviews, and the evaluation of internal and external candidates. RC1 of Pierce County (now retired) was RC1 direct supervisor. RC1 moved to Washington State from Texas with her spouse and began her new position in a new community.

In this new position, RC1 was responsible for managing over 50 employees and all of the Superior Court Clerk's Office Operations. Her last position in Texas was as Court Administrator for

[3] Generally speaking, credibility is not merely a determination of whether a witness is being truthful – it involves consideration of a number of factors which include, but are not limited to: (i) ability to observe; (ii) ability to recall and consistency of recollection; (iii) reputation for truthfulness; (iv) statements by other witnesses that are consistent or inconsistent with those of the declaring witness; (v) self-contradiction; (vi) bias/unusual interest in the outcome of the case or a friendly or hostile relationship with one of the parties; (vii) contemporaneous documentation; and (viii) an individual's conduct during the investigation, including demeanor and body language during interviews and/or other tangible and intangible conduct that goes to a witness's sincerity. Life and work experiences are also factored in as to a witness's perspective.

the City of the Colony.[4] Her past work experience was primarily with municipalities. One witness told the Investigator that after RC1 appointment was announced, a well-respected attorney (who was also a person of color) called her to raise the question of how an "outside hire" from a small city made sense over the qualified internal candidates; "DEI" was mentioned in passing by the attorney.

At the time of RC1 hire, the Chief Deputy Clerk position was vacant; RC1 reported directly to RC1. RC1 was a long-term employee and had unsuccessfully applied for RC1 position. As described in summary below, RC1 currently claims that issues of race were raised by RC1 during her first week of employment. Once RC1 got established in her role, she began to have regular meetings with RC1. When workplace issues arose, then-RC1 would occasionally participate in these meetings. RC1 also had her own routine check-in meetings with RC1. Both RC1 and RC1 had also been involved in interviewing and selecting RC1 for her position. RC1 also regularly participates in the executive cabinet meetings.

2022. In early 2022, RC1 provided RC1 a Memo of Expectations ("MOE") in the aftermath of an HR investigation. The founded misconduct involved the RC1 sending an angry member of the public to the County Executive's Office to lodge a complaint. According to the MOE, the individual was so angry and disruptive that he required a Sheriff's Deputy escort away from the Executive's Office. After receiving the MOE, RC1 was heard to slam his office door; this has been admitted to by RC1

Later in early spring 2022, RC1 opened the hiring process for the vacant Chief Deputy Clerk position. Both RC1 and RC1 applied for the job. RC1 was selected.[5] Subsequently, during an April 2022 meeting in RC1 own office to discuss the Deputy Clerk selection, RC1 was described to box RC1 in her office table while animatedly asking questions about his future, raising his voice, and leaning over RC1 office table; this description has been contested by RC1

In the aftermath, there was a May 2022 all staff Clerk's Office meeting to address among other items, the selection for Deputy Clerk. RC1 was standing very near RC1 during this meeting. There was a disagreement in investigative facts concerning whether or not RC1 was being intentionally encroaching and intimidating towards RC1

The ensuing HR investigation resulted in three out of four specific allegations being substantiated. In July 2022, RC1 provided a memo to HR regarding her performance expectations for RC1 and her observed performance deficiencies. In August 2022, RC1 delivered a letter of discipline (NOIS) to RC1 that included a period of suspension; RC1 signed the letter. Before the discipline was carried out, RC1 had a pre-disciplinary meeting with RC1. Despite conflicting opinions on the matter with members of the investigative team, RC1 told the Investigator that she was of the opinion that the discipline of suspension should be carried out. RC1 issued an October 5, 2022

[4] The City of the Colony has a population of approximately 45,000; Pierce County has a population of approximately 930,000.

[5] That Deputy Clerk resigned from her position in Fall 2023 and participated in an exit interview with the County Executive; she had been a long-term employee of the Clerk's Office.

notice memo for a 5-day suspension; RC1 was copied on this memo.[6] RC1 subsequently delivered to RC1 an October 20, 2022 "Clarification of Expectations" memo addressed to RC1 that she signed. RC1 later provided RC1 a November 15, 2022 memo response to his grievance of discipline that upheld the 5-day suspension; RC1 was copied on this memo. RC1 told the Investigator that in mid-November 2022, he resigned from his employment after carrying out his suspension; RC1 also provided an exit interview. During 2022, there was no documented racism raised by RC1

One witness told the Investigator that two of her Clerk's Office colleagues told her -- after the first 2022 HR investigation involving RC1 -- that "she [Complainant] must've been hired because she was black." This same witness refused to tell the Investigator the names of these employees or whether they still work in the Clerk's Office; they were referred to as "bigots." This witness denied hearing that statement or similar statements being made by RC1 This witness described that such comment was made after grumbling began about staff treatment by RC1 , and after concerns were voiced about RC1 knowledge base to run the Clerk's Office operations based on observations and conversations. This same witness recounted a conversation in RC1 own office "early on" where RC1 was "emotional" and recounted, "I'm a 51-year-old woman… But…it never stops hurting when people don't, that people don't think she's qualified or the people, that she continues to have to prove herself." This witness stated she never heard any employee "say that they didn't like RC1] because she was black."

2023. During the course of 2023, financial anomalies at the Clerk's Office began to be unearthed. RC1 worked with the RC1 and the County's internal auditing personnel to evaluate and address the issues and to add additional financial oversight, processes and controls. In addition to working with RC1 on these issues of financial irregularity, RC1 had previously worked with RC1 and her staff regarding routine budget preparation issues. RC1 and RC1 also both served on the executive level DEI Strategic Oversight & Coordination Committee ("SOCC"). Throughout this time working on various projects, RC1 expressed to the RC1 her perspective that various members of her staff were unsupportive and unhelpful to her. These concerns were similarly raised to RC1 and RC1 .

In late Spring 2023, the Clerk's Office Budget and Fiscal Services Manager ("Manager") resigned from his position; he obtained a manager position with Pierce County District Court and later with Superior Court. He had been a long-term employee with the Clerk's Office. On August 15, 2023, RC1 held a lengthy and frustrating meeting with Archer and two members of her HR staff to try to address how to get specific finance-related work done in the aftermath of the Manager having quit without leaving behind written procedures or protocols, and one staff (who had some cross-training) had decided to stop performing out-of-class work. The consensus of evidence supports that the Manager, though still a County employee, refused to help. According to contemporaneous notes, during this lengthy meeting, RC1 asked HR who would defend her in court if a "charge" was lodged against her for not getting this Clerk's Office work done. In the summer and fall 2023, the State Auditor's Office ("SAO") conducted an audit of the Clerk's Office and entered some adverse

[6] RC1 10/05/22 memo recounts the 05/22 staff meeting allegation of intentionally standing too close to RC1 as though it were a substantiated finding from his perspective.

findings on these fiscal issues. In September 2023, the County entered into an Executive Coach contract with an outside expert to provide additional support to RC1.

Additionally, after conducting a review of the history of the arrangement, in December 2023 RC1 terminated a longstanding informal agreement with a Title Company that had allowed the company to work from a table in the Clerk's Office without paying rent; this upended employees' decades-long protocols for Title issues and public document requests. This issue was later covered by the local news media in May 2024.[7] During 2023, there was no documented racism raised by RC1 generally; such was not raised directly to either the RC1 or RC1 during 2023.[8]

2024. In early March 2024, a local Tacoma newspaper reported information regarding the SAO audit and findings that were arguably not flattering to the Clerk's Office. In a separate article in early March, the same newspaper also reported that the Pierce County Clerk's Office staff were making allegations of a toxic workplace environment as created by RC1. RC1 and another former Clerk's Office employee denied to the Investigator bringing this information to the media.

In the March 21, 2024 SOCC meeting, RC1 became emotional and announced to the attending committee members that she no longer wanted to serve on the committee. She stated words to the effect that "nothing changes." Among other things, RC1 also recounted that she had been experiencing racism in the Clerk's Office during her term of Pierce County employment. Archer served as the Chair of the SOCC and attended this meeting. The RC1 was also present at this meeting. He explained to the Investigator that this was the first time he had heard RC1 raise racism as describing her experience as the RC1. The then-RC1 also attended this meeting. He recounted to the Investigator that RC1 asserted to the group something along the lines that "people do not know what it is like" when someone does not want to work with her "because she is black." The RC1 had not heard RC1 recount this experience before. This incident was reported to RC1

The RC1 and then-RC1 followed up by meeting with RC1 several days later on March 25, 2024. RC1 specifically described to them that during the start of her employment, RC1 had told her that by hiring RC1 instead of RC1 -- the County had "gone a different direction" because RC1 "was black." Among several other issues, RC1 additionally

[7] During her interview, RC1 observed that RC1 was under quite a bit of "public scrutiny" with reporters calling. "It appeared to her that as they discovered things that hadn't been properly done by the previous clerk, as soon as they were discovered, somebody at the newspaper knew" and they would use it to say RC1 was not correctly managing the Clerk's Office. The Investigator notes that Kevin Stock provided an interview with at least one news reporter.

[8] In summer and fall 2023, several other Clerk's Office employees also resigned, to include the Criminal Diversion Program Manager; this employee had been a final candidate for the County Clerk position, had been promoted by RC1, had tried to split her workgroup off from the Clerk's Office, and had participated in an exit interview with the County Executive at the time of her separation. Various complaints about RC1 management style and operational acumen were made to HR in 2023. There were some follow up interviews in some instances but based on current review of documents and information received in the current investigation, it appears that no formal HR investigation occurred.

described her perspective that Clerk's Office employees were generally unhelpful and disrespectful to her due to racism, and that based on her experienced treatment by her subordinates, she had been a recipient of "mobbing."

On June 3, 2024, HR investigator, EEO & ADA Officer Vicki Moll emailed RC1 an EEO complaint form with some policy information. During a brief June 4, 2024 Teams call, RC1 told Ms. Moll, that she had been experiencing bullying, harassment and mobbing for two and a half years. RC1 posed the question "why now?" According to transcribed notes from a subsequent June 12, 2024 Teams call, RC1 told Ms. Moll:

> Looked at the policy. The part in my mind is to report things - that's *all* believe I've *been* doing - I've been reporting since I've been here. No one does anything. When you get to a point where you want to drive your car off a bridge… this is my life, and nobody cares about the trauma I go through. I'm supposed to accept it and am told I need to play nice. I don't know how to navigate, the policy says you report it and hope that this is never a race issue, but it *is* because people tell you things that bring it back around to that. Because I'm not the first… I've never been one to try to say that - I feel that is the easy way. I try to look at things from a different perspective. But when someone tells you that they are doing this because you are black. I can change my tone/approach, I can't change skin color.

Per the contemporaneous notes, RC1 larified to Moll that it was RC1 who had referred to the color of her skin. This is denied by RC1. Ms. Moll, repeatedly tried to interview RC1 (sent 06/03/24 email, complaint form, made phone calls, sent meeting invite), but RC1 repeatedly declined to be interviewed. On July 14, 2024, RC1 sent Ms. Moll (copying others) an email briefly discussing her perspective of being the recipient of workplace harassment and declining to be interviewed regarding the same. On August 15, 2024, after conducting staff interviews, HR closed out the June 11, 2024 disrespect investigation (not substantiated).

In early July 2024, RC1 issued a new visitor's policy for the Clerk's Office that was not well received by her staff. The Investigator speculates that the policy was issued in part due to RC1 not being comfortable with RC1 visiting with staff, but this is not confirmed. On August 29, 2024, there was a demand to bargain meeting with management and the union regarding in part, the new visitor's policy; afterwards, an emotionally charged Teams meeting ensued between RC1, the HR Assistant Director and then RC1. RC1 expressed upset over the union representative having suggested that RC1 treated newly hired employees differently from longer term employees. RC1 August 30 email discussing "mobbing" followed; race was not mentioned in RC1 email.

(i) <u>County Executive telling Complainant shortly after her hire that he needed to connect her with the "Black Collective."</u>

RC1 explained that on the day of her confirmation, the Executive told her he needed to get her "in front of" the "Black Collective." The "Black Collective" has been reported to the Investigator to be a volunteer group of black leaders who advocate and collaborate with public and private entities,

government, and business enterprise for mutual advantage and to promote the Collective's interests.[9] For example, the Black Collective was one of the County's partners in helping to inform the County's pandemic recovery work. Complainant told the Investigator that she was disconcerted by the County Executive telling her soon after her hire that he should be sure to get her connected with the Black Collective or words to that effect. As an advocacy, networking and/or affinity type group, even if such a conversation occurred, such individually does not provide a racially hostile remark such that it was patently harassing or offensive.

(ii) Complainant not feeling welcomed during the onboarding process to include her department staff apparently not being informed that she had been hired or was coming in on a particular day.

RC1 informed the Investigator that after her confirmation in late November, she went to her new office to explore the setting; she was not scheduled to start her new position until December 6. She had not been introduced to her staff, and specific staff to include the Interim Clerk seemed uncomfortable, unwelcoming and not aware that she might be arriving.[10] The Executive team did not specifically announce to the Clerk's Office employees which date RC1 would be arriving at her office. There is no evidence to suggest that RC1 was singled out in this regard. There was a press release concerning RC1 hire that was circulated and referenced by several witnesses. The press release stated that RC1 first day would be December 6, 2021. Another Caucasian Director comparator employee does not recall any specific announcement to her staff or overt welcoming efforts by her staff made at the time of her own hire. Specific interviewed former Clerk's Office employees told the Investigator they thought staff were welcoming to RC1 when she first began her employment. A formal orchestrated welcome could have improved RC1 experience, but as described here, its absence does not implicate the County's nondiscrimination policy provisions.

(iii) Complainant observing that her physical office space was dirty, and she had to clean it.

RC1 also described her upset over her "very dirty" office space. The Executive team did not specifically arrange for the County Facilities Management Department's custodial cleaning crew to clean RC1 individual office. Again, there is no evidence to suggest that RC1 was singled out in this regard. The evidence evaluated here does not support a conclusion that the County Executive or his team publicly hired RC1 and then intentionally humiliated her by purposefully allowing her to arrive in an unkempt office with a stale and dirty refrigerator. The Investigator notes that RC1 expressed that she was in fact put off by the dirt, dirty fridge with leftover moldy food, and need to request cleaning supplies to clean her own office. This upset was recounted to RC1 in March 2024 The individual concierge aspect of onboarding a new County Director could be improved but racial animus is not described or implicated here.

[9] About Us

[10] Witness RC1 was not at work on RC1 first day.

(iv) RC1 telling Complainant during first week of employment "the County decided to go a different direction" – "you're black" (regarding not appointing RC1).

RC1 told the Investigator that when she first met RC1, an applicant for RC1 job, RC1 made it clear to her that he was unhappy not to get her job; RC1 stated that despite the prior "plan," the County "decided to go a different direction."[11] When RC1 asked what RC1 meant, RC1 responded, "you're black." RC1 told the Investigator, "And I was like, I said, well, I'm just going to take that as I'm from Texas. And I got up and I walked out of the office because at that point in time, I knew where I stood with him who was just not nice." Per RC1, the following week she had a Teams check-in meeting with RC1 and told RC1 that RC made this statement. RC1 denied to the Investigator ever hearing this statement from RC1 until after the March 21, 2024 DEI SOCC meeting; RC1 acknowledged that RC1 told her that "the County went a different direction" along with RC1 apparent disgruntlement – but nothing about highlighting RC1 race. Until the March 2024 SOCC meeting RC1 took no notes of her years of discussions with RC1

RC1 denied to the Investigator ever telling RC1 that the County decided to go "a different direction" and something along the lines of, "you're black." In his interview, RC1 asserted that he first learned that RC1 was alleging racial animus during his interview with the Investigator. The key County executives that worked closely with RC1 in 2022 through March 2024 have no recollection of RC1 specifically attributing racism to RC1 ongoing complaints of her staff not supporting or helping her and disrespecting her. During the Clerk's pre-March 2024 myriad of informal complaints, formal complaints, written memoranda and interviews concerning RC1 in particular, she never before March 21, 2024 had raised racism to HR as a contributing factor in RC1 motivation.[12] RC1 had left County employment in November 2022.[13]

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[11] In his interview with the Investigator, RC1 disavowed having a prior belief that he was the natural successor to Kevin Stock in the Clerk's Office or stating to others having such a belief; based on a review of the evidence as a whole, the Investigator finds this assertion to be dubious. The Investigator also does not credit RC1 statements that he did all he could to make RC1 new role comfortable and positive. RC1 description continuing to reframe his behaviors that are the subject of 2022 substantiated investigation findings and discipline are also not credited by the Investigator.

[12] In then-Senior Labor Relations Analyst Melissa Arnold's May 5, 2022 notes from an interview with RC1 the following is summarized regarding RC1 "Hasn't physically done anything. Concern is unpredictability. Concerned about his instability. Behavior has gotten worse since she arrived. Behavior already there as others had told her that. Started when he didn't get past phone interview for clerk position. Isolated for weeks, wouldn't talk to anyone, slamming doors. When she arrived, his reception was very unpleasant."

[13] On July 8, 2024, RC1 was rehired by the County as a staff member in the Prosecutor's Office. This rehire was officially announced within the Prosecutor's Office on August 1. Even before his rehire, RC1 would occasionally visit former coworkers in the Clerk's Office. According to RC1, when RC1 heard about/saw this, she called RC1 to inform that she was afraid of RC1. Once RC1 was rehired, RC1 confirmed that his badge would not access the relevant section of the parking garage. According to RC1 when he learned that RC1 was expressing fear after RC1's re-hire, he gave RC1 his parking slot in the garage for ease of entry/access, and RC1 was connected with the Sheriff's Office security for escorts to her car. In July 2024, RC1 presented a new visitor's policy to her staff. Notably, on 08/29/24 during the emotionally charged Teams meeting with Arnold and RC1), the

RC1 told the Investigator that RC1 frequently raised racism *as a question* when she expressed her upset and frustration with her staff not supporting her efforts or disrespecting her; RC1 wondered aloud if racism could be the reason. RC1 explained that these types of conversations occurred with some frequency, and they all "melt together" in his mind. Per RC1 such a questioning "…was probably prompted as it often was by a specific instance of what she deemed lack of support or insubordination or inappropriate behavior associated with a meeting, a discussion, any issue." Per RC1 when he asked RC1 for specifics, "she said, there's nothing anyone has said or done that's clearly racist on its surface. It's just an accumulation of responses, actions that collectively indicate there must be a common attribute for all of this."

Regarding RC1 in particular, RC1 recalled at some point RC1 recounted that RC1 had said that he thought he was not going to like her "because you were black," but RC1 also stated that he changed his mind. RC1 stated he did not recall when RC1 told him about that statement, but it "was probably in the first year." This type of statement is denied by RC1. Per RC1 he recalled more than once reminding RC1 that it was her right to bring a complaint to HR; RC1 typically responded with words to the effect that she wanted to focus on doing her job and not rely on her race or raise a complaint. RC1 took no notes of his years of conversations with RC1. The Investigator observes that RC1 recollection of certain details in his interview are vague or are contradicted by specific records; the Investigator attributes this to memory rather than credibility (i.e., what RC1 discussed in his *Loudermill* hearing, reasons for RC1 discipline, or whether RC1 served his suspension before resigning).

(v) **RC1 telling Complainant that a particular staff member did not want to help her because she is black and minimizing described staff behaviors.**

In particular, RC1 described to the Investigator that after her RC1 , resigned in late spring 2023, he refused to help her when RC1 , and other staff were sorting out financial anomalies regarding account reconciliation during the 2023 audit and while addressing routine operations. This scenario has been confirmed by other witnesses. After leaving the Clerk's Office, RC1 began working for the District Court and then moved to Superior Court -- supervised by the Court Administrator.[14] By report, written protocols were not left by RC1 for

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RC1 loudly expressed to the HR representatives her anxiety related to "somebody" coming into the Clerk's Office, and she has stated that she has County Security staff walk her to her car at the end of her workday. RC1 RC1 described being "scared." On 08/29/24, RC1 also stated: I have to deal with somebody I am afraid of coming down in this office to intimidate me every chance he gets. And you know what? Also, staff that's here that allows him to come down here. I have a panic button in my office because I'm scared." In his interview with the Investigator, RC1 described his current dealings with the Clerk's Office: "I do have occasional workings with them as our office does filings and we have to request copies of prior records and things like that. So generally, right now a lot of my interactions can be done remotely. I don't have to go into the office for a whole lot, but occasionally I will need to go down to get subpoenas issued and pick up hard copies of documents that were not electronically processed." RC1 told the Investigator that he continues to routinely socialize with two Clerk's Office supervisors outside of work, and they have visited together at the Clerk's Office.

[14] RC1 current supervisor, the Court Administrator, is the husband to RC1 former Chief Deputy Clerk who resigned in 2023.

others to use. Per RC1, RC1 told her that "he's not going to help you because you're black." RC1 denied to the Investigator making a statement to RC1 that RC1 or any employee did not want to work with her because she is black. RC1 explained to the Investigator that she never met with RC1 or a partially cross-trained employee, RC1 regarding this topic. RC1 also denied speaking with RC1's supervisors on this topic.

RC1 told the Investigator that the color of RC1 skin was not raised in any fashion by RC1 in this scenario. With regard to sorting out the Clerk's Office' financial issues in 2023, according to RC1 and RC1 spoke with RC1 District Court supervisor to get some help, and the response from RC1 was "no." When RC1 moved to Superior Court, RC1 made another request for help – through the Court Administrator -- and the response was the same. Another staff member, RC1 who had some limited finance cross training, and had temporarily been performing specific duties while getting paid "out of class," eventually refused to help; RC1 was involved in meetings to address these issues. Race was not raised by RC1 in recorded notes from an August 15, 2023 meeting with several members of HR.

RC1 told the Investigator that at that time, he was not in a position to intervene given that RC1 no longer worked for the Clerk's Office. RC1 told the Investigator that race was not an issue in his interactions with RC1, but he felt like she created a hostile work environment for him and his colleagues; he affirmatively asserted that he left a red binder of all needed financial protocols in his office when he left the Clerk's Office and laterally transferred to the District Court. RC1 denied collaborating with any person to make RC1 life more difficult or telling RC1 that the office would fail without him; he emphatically explained to the Investigator that he refused to further assist RC1 because of the way he had been treated during his employment as her subordinate.[15]

Since 2022, RC1 had been routinely involved in speaking to RC1 about the scope of work at the Clerk's Office, operational and personnel conflicts, and the various HR investigations or inquiries that RC1 was involved in either as a complainant or participant. Archer had no recollection of hearing from RC1 any pre-March 21, 2024, statement that RC1 staff failed to help her or otherwise intentionally made her director job at the Clerk's Office more difficult *due to her race.* RC1 told the Investigator that over time RC1 would question motives and say she was raised not to attribute race as a motive for poor behavior.

RC1 explained to the Investigator that she spoke with RC1 about her concerns after she heard about them in late March 2024. Archer has tried to share her own experiences with RC1 as to not having organized office space or furniture when she arrived at her County employment and not feeling welcomed by her own staff. RC1 also spoke with RC1 about ways that she could try to work with her staff in a more collegial manner and try not to take disagreement personally (i.e., there are many reasons why employees misbehave). Over time, there had been many conversations surrounding Pierce County administrative guidelines and procedures for career service employees and the need to follow the bargaining agreements for union employees. These layers of procedure for

[15] The Investigator notes that RC1 stated he gave RC1 a positive reference when the County recently was seeking input. RC1 remains "friends" with Kevin Stock and keeps in touch with other former co-workers. RC1 provided an "anonymous" complaint memo to the Finance Department in October 2022 that was shared with the Executive's Office at the time; he also met with RC1.

managing employees and imposing discipline were at variance with RC1 prior work experience in Texas. Per RC1 and an independent review of specific meeting notes, these discussions tended to raise frustration for RC1.

(vi) Department staff not supporting or helping Complainant (particular staff resigned).

RC1 repeated to the Investigator her perspective that has been repeatedly shared with others regarding the lack of support and help from her staff. As referenced above, many staff left the Clerk's Office over the course of late 2022 and 2023. As a former Supervisor, RC1 described to the Investigator that he never heard anyone raise the subject of RC1 race in any fashion, and he never heard anyone describe RC1 's race or color as connected to any reason for resigning from the Clerk's Office and obtaining other employment either within or outside of County employment; he also denied hearing anyone use disparaging or denigrating comments or state jokes regarding RC1 as connected to her race or color. The former manager of the Criminal Diversion Program – who was also the interim Clerk during the 2021 selection process – denied to the Investigator ever hearing any Clerk's Office staff address RC1 race or color through the use of vulgarity, profanity or jokes. A witness who found other employment told the Investigator that at one point she became fatigued regarding employees complaining of RC1 "treatment" so she told them they should leave and find other employment. Many written complaints/memoranda about RC1 management/communication style describe reasons unconnected to race or color as the rationale for choosing to resign from the Clerk's Office. CH and the former Criminal Diversion manager specifically denied to the Investigator trying to make RC1 life difficult or encouraging others to be difficult or make RC1 role more difficult.

As described above, neither the former RC1 nor the former RC1 recall RC1 raising racism by her staff until March 21, 2024; RC1 was the specific staff member that RC1 identified.

(vii) Department staff not appropriately greeting Complainant in the mornings (eye rolls/ignore).

RC1 reiterated to the Investigator her previously raised concern that her staff did not return her morning greetings, and some rolled their eyes during morning greetings; RC1 has articulated a belief that such rude behavior has been orchestrated. RC1 told the Investigator that she worked with RC1 "about strategies for improving" that scenario, and also emphasized "that the majority were not behaving in that way." RC1 did not provide specific names to RC1 or the Investigator. The Investigator has not located evidence to corroborate this allegation by the weight of the evidence that many staff have generally failed to return RC1 morning greeting and some in fact rolled their eyes at her. Neither RC1 nor the former manager of the Diversion Program endorse this description. A current administrative staff member informed HR during a June 2024 investigation that two current staff members do not return RC1 greetings, and these same staff are mean to RC1 ; one staff member denied this description when interviewed by HR. As time moved forward in RC1 tenure, the weight of the evidence supports a conclusion that there likely arose non-discriminatory reasons for various now former staff to not feel inclined to robustly greet RC1

(viii) Department staff being disrespectful of Complainant (HR investigations).

RC1 repeated to the Investigator her perspective that at least two staff members were explicitly rude to her during two separate all staff meetings; the implication is that such was orchestrated amongst the group against RC1. HR contemporaneously followed up to investigate two specific complaints by RC1 regarding allegedly disrespectful staff behavior in staff meetings. Based on the evidence supplied by other witnesses with knowledge, these allegations, (i) encroaching on RC1 personal space in an intimidating fashion (April 2022) and (ii) raising voice and turning back on RC1 (June 2024) were not substantiated.[16] The spring 2022 door slamming, and office intimidating behavior allegations were substantiated RC1. According to RC1 and the documents reviewed by the Investigator, race as a motivating factor was not specifically raised by RC1 during either of these investigations; disrespect, harassment and hostility by her staff as a general concept has been raised by RC1 during the last several years.[17]

(ix) A Department Director asking Complainant her perspective of the black community's potential reaction to a jury verdict in a high-profile trial.

RC1 explained to the Investigator her affront to another Director asking her perspective about what the "black community's" reaction may be in the aftermath of a high-profile use of force verdict (12/2023). RC1 explained to the Investigator that she found this inquiry to be offensive. The Investigator gleaned that RC1 does not see herself as the emissary of the black community, and RC1 pointed out at the time that whatever the verdict outcome, it would impact more than just the black community. This inquiry may have offended RC1, but there were no slurs or denigrating comments made to RC1 -- or demeaning statements of any kind -- due to her color or race. RC1 was one of many recipients of the 2024 Executive's Award for her participation in a large team tasked with making the trial process transparent and accessible. Arguably, the Director in question may have made a clumsy inquiry while valuing a colleague's perspective, however such by

[16] In June 2024, after the staff meeting in question, RC1 told Vicki Moll that "I'm afraid of the continued disrespect. There is a group of people here. I try to not invest in, it's hard to navigate. I've tried not to allow them to pull me down in, or into new staff. When new staff are saying to me "why are they so mean to you?" This isn't isolated. People have been here a long time, have an established status, and new employees don't want to go against that. I don't…." Later, RC1 received a copy of the August 15, 2024 investigation closure letter (allegations unsubstantiated).

[17] For example, after the August 2024 demand to bargain meeting that led to RC1 August 30, 2024 email to HR and the Executive team, RC1 told Melissa Arnold that she was tired of all the harassment and mean people and provided the following example of something that upset her: "I go and spend my own money to make this a nice space [break room] for these same people who are so mean to me, won't even say good morning, but I'm treating them differently?! I don't understand that. I buy a 55 inch TV and they say 'it should've been a 70, why wasn't it that?' I can't win. I can't win!" RC1 has repeatedly raised with RC1 and RC1 her upset about certain current staff members and specific former staff members, RC1 and RC1 not cooperating with her and disrespecting her; such was also specifically raised in an August 15, 2023 lengthy, emotionally charged meeting with RC1, a newly hired Fiscal Manager, and several HR employees, to include RC1 then Asst. Dir. HR, Lisa Hilligoss, and then- RC1 ("Disrespected, talked about to my face, and it doesn't get any better for me.")

itself does raise a patently offensive issue to support harassment or a hostile work environment for RC1.

(x) RC1 and RC1 suggesting to Complainant that she discuss her concerns with a newly hired deputy prosecutor who is a person of color.

RC1 told the Investigator that after a new deputy prosecutor was hired in summer 2024, RC1 was encouraged first by RC1 and later by RC1 to speak with the attorney in part because the new prosecutor was a person of color. RC1 agrees that she encouraged RC1 to speak with this newly hired prosecutor as an outsider with a fresh perspective, an accomplished attorney from a respected law firm, and perhaps as a person of color there may be some helpful frame of reference for RC1 various concerns. Per RC1, RC1 had more than once referenced that the people she worked with do not "look like me." RC1 denied to the Investigator having a recollection of making a similar recommendation to RC1. However, he took no issue with the suggestion. This particular suggestion was offered as a resource to RC1 and not to create a harassing work environment or to otherwise offend RC1. The suggestion was offered amongst the array of earlier efforts by RC1 and others to respond to RC1 concerns and emotional upset, to include EAP services, in the context of RC1 repeatedly stating that she did not trust the prosecutor's office and she did not want to participate in a formal HR workplace investigation.

B. Conclusion

In December 2021, Complainant was hired as the appointed RC1, and she remains in that executive role today. When the new Pierce County Executive was elected into office in fall 2024, RC1 was re-appointed to her position. RC1 has not received any discipline or adverse employment action. Instead, the executive office has supported RC1 and given her the benefit of the doubt that past Clerk's Office staff complaints (formal or otherwise) largely resulted from (i) RC1 being a "change agent" for important operational process change and (ii) the staff being change averse. The former County Clerk had been with the County for almost two decades and the staff were accustomed to carrying out their responsibilities in a manner consistent with their prior boss' expectations. In many of the voluminous documents reviewed by the Investigator, some Clerk's Office staff have described feeling some surprise and some angst regarding the County's decision to appoint "an outsider."

During her term of employment, RC1 has been charged with implementing improvements to the Clerk's Office; she inherited many significant problems to include issues with financial oversight, account reconciliation, records management and retention practices, a need to convert from paper to electronic records, lack of cross-training, outdated software, and facilities issues such as rodents nesting amongst paper records, and a need to change out/update an employee break room. RC1 also implemented security improvements such as installing a "panic button" in her own office[18] and another staff's office, updating Lenel badging office access protocols, updating front counter protocols, implementing a new visitor's policy. RC1 also terminated a decades-long

[18] RC1 previously informed HR that she had the panic button installed in her own office in response to RC1 Spring 2022 encroaching and intimidating behaviors that resulted in his letter of suspension.

arrangement with a Title Company that had been working out of the Clerk's Office; this disrupted the employees' property title and public document request protocols.

Some notable staff attrition has contributed to workplace stress and loss of institutional knowledge. By fall 2023, the Clerk's Legal Processing Supervisor, Fiscal Manager, Deputy Clerk, Criminal Diversion Manager and many others had resigned; others had retired or were involuntarily let go. There were also employees that appear to have intentionally refused to extend themselves to be helpful during significant times of transition. In response to the angst described by RC1 during the first 20-months of her employment, in fall 2023 the County hired an Executive Coach to work with RC1 to help support and professionally problem solve effective leadership dealing with difficult staff in the face of the challenging issues described in part herein. Per RC1 the County has also suggested outreach to EAP services, and provided to the Clerk's Office staff additional DEI training, change management training, and managers' teambuilding training. In support of RC1 the County did not launch formal HR investigations when staff raised concerns regarding RC1 style of leadership or communications with staff. RC1 supervisor regularly met with RC1 to problem solve and support her in her role, and after March 2024, the HR Director routinely joined these meetings to try to provide support to RC1 . By many accounts, RC1 has been very emotional when recounting her frustrations with these many staff and operational challenges, and when describing her perspective that her work environment is harassing and hostile.

However, with one exception, neither RC1 nor any other witness interviewed in this Investigation recalled hearing any person ever verbally disparage RC1 due to her race or color, or use denigrating terms, slurs or jokes to or about RC1 due to her race or color. The anonymous written complaints provided to the Executive Office contained no race-based denigrating description. One witness recounted hearing two unnamed coworkers state that RC1 must have been hired because she is black (sometime after the first 2022 RC1 personnel investigation). The County policy provides the following examples of impermissible workplace harassment:

> Such impermissible conduct could include, but is not limited to, sexual, racial or ethnic jokes, mocking an accent or manner of speech, denigrating an individual because of membership in or affiliation with a protected class, displaying cartoons or literature embracing racially, sexually, or ethnically offensive clichés, or outright threat that a job or a job benefit would be denied because of membership in or affiliation with a protected class.

3.16.030.

The weight of the evidence evaluated in this investigation fails to support a finding that race or skin color was a motivating factor in the specific workplace disputes with RC1 subordinates, or others, described in summary fashion here. Similarly, "mobbing" is not supported by the evidence reviewed here.

Please advise should you need further investigation, clarification or elaboration.

Sent: Tue 4/8/2025 2:25:34 PM
Subject: FW: Investigation Closure Notice
Received: Tue 4/8/2025 2:25:30 PM
Pierce County Executive Summary Report_B. Bannon.pdf

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CONFIDENTIAL MEMORANDUM

TO: Julie Demuth, Acting Deputy Director, Finance Department
Treja Miranda, Deputy Prosecuting Attorney

FROM: Brenda L. Bannon, Investigator

DATE: March 14, 2025

SUBJECT: ***Executive Summary Report; Pierce County Clerk's Office EEO Investigation***

I. SCOPE OF INVESTIGATION AND SUMMARY

On or around October 11, 2024, Pierce County ("the employer") retained my services to conduct an outside impartial workplace investigation concerning allegations of improper workplace behaviors to include harassment and hostile work environment discrimination based on race. The need for the investigation grew out of statements made by RC1 or "Complainant") during and after a March 21, 2024 Diversity, Equity and Inclusion Strategic Oversight & Coordination Committee ("SOCC") meeting.

The investigation scope included evaluating whether current/former County Clerk's Office subordinate staff harbored discriminatory animus towards RC1 such that they created a hostile work environment for her and/or facilitated a workplace of "mobbing" as described by RC1. In her interview, RC1 also raised with the Investigator other aspects of her employment that caused her concern; selected illustrative examples will be addressed below.

Between November 26, 2024 and February 27, 2025, the following witnesses were interviewed: Complainant,[1] RC1 (01/13 & 2/27), RC1 (01/14), RC1 (01/21), RC1 (02/10), RC1 (2/12), RC1 (2/13) and RC1 (3/13). Each witness was interviewed remotely using videoconferencing technology. RC1 was my main point of contact to coordinate witnesses. Upon his retirement, I worked with Julie Demuth, Acting Deputy Finance Director. The PAO and Demuth helped compile relevant documents.

[1] Complainant was interviewed on 11/26/24; a mutually planned 12/09/24 follow-up interview was cancelled by Complainant; after many efforts to reschedule, on 02/26/25, a follow-up interview was attempted but was paused over logistical disputes once it began. No other interview was requested by Complainant.

Atlanta ▪ Austin ▪ Berlin (Germany) ▪ Birmingham ▪ Boston ▪ Charleston ▪ Charlotte ▪ Chicago ▪ Cleveland ▪ Columbia ▪ Columbus ▪ Dallas ▪ Denver ▪ Detroit Metro ▪ Greenville ▪ Houston ▪ Indianapolis ▪ Kansas City ▪ Las Vegas ▪ London (England) ▪ Los Angeles ▪ Memphis ▪ Mexico City (Mexico) ▪ Miami ▪ Milwaukee ▪ Minneapolis ▪ Montréal (Canada) ▪ Morristown ▪ Nashville ▪ New Orleans ▪ New York City ▪ Oklahoma City ▪ Orange County ▪ Paris (France) ▪ Philadelphia ▪ Phoenix ▪ Pittsburgh ▪ Portland, ME ▪ Portland, OR ▪ Raleigh ▪ Richmond ▪ St Louis ▪ St Thomas ▪ Sacramento ▪ Salt Lake City ▪ San Antonio ▪ San Diego ▪ San Francisco ▪ Seattle ▪ Stamford ▪ Tampa ▪ Toronto (Canada) ▪ Torrance ▪ Tucson ▪ Washington

I have compiled and reviewed contextual background information and relevant employer documents to include relevant personnel documents, the Clerk's Office Org Chart, the Employee Handbook, specific Human Resources investigations and findings, various personnel complaints and management follow-up memoranda and notes, exit interview summaries, miscellaneous memoranda, miscellaneous email, miscellaneous notes, transcripts, relevant policy provisions, news articles, and relevant publicly available information. Also, the PAO provided a summary memo of events and related documents at the start of the investigation; all of that information has been considered by the Investigator. The documents are too voluminous to individually list here. It is the Investigator's normal practice to accept business records prepared in the ordinary course of business as conclusive regarding dates and events. In an effort to protect the confidentiality of the investigation and to preserve the overall integrity of the general investigative process, I have only referenced participating witnesses' names in the narrative of the report where important to the overall context.[2]

II. POLICY PROVISIONS AND LEGAL STANDARD

The Investigator reviewed the applicable employer non-discrimination and anti-retaliation policy guidelines as the construct for the scope of this investigation. In her August 30, 2024 email to HR, RC1 also provided an excerpt from the County Administrative Guidelines as follows:

> Administrative Guidelines 3.16.030 Prohibition of Discrimination and Harassment. Harassment Defined. Harassment is a deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive sexual, racial, gender-based, national origin, religious, age-based or other class associated stereotypes and perceptions of social behaviors. Harassment can be verbal, non-verbal or physical. *It is not necessary that individuals intend their conduct to be harassing or act with a malicious or mean-spirited motive.* (emphasis in email).

"Mobbing" as referenced here generally refers to collective workplace harassment, ganging up against, and/or humiliation by employees against another employee, a concept introduced to HR and the Executive team in this matter by RC1 On August 30, 2024, following a "demand to bargain" labor management type meeting, RC1 sent a 3-page email to HR Assistant Director Melissa Arnold (copying several others) regarding the Clerk's Office new visitors' policy and a dispute that arose during the meeting; RC1 reportedly had cried and yelled at the HR representatives in a 08/29 Teams debrief meeting; RC1 specifically included the following definition of mobbing in her 08/30 email: *"Mobbing occurs when a group of individuals collaborate to intimidate, bully, harass, or pester one other individual. In a workplace, mobbing is when a group of employees participate in hostile behaviors towards another employee that makes it difficult for that employee to perform their job tasks and feel secure."* ***

This report is an Executive Summary report and is not intended to be a comprehensive recitation of all the information that was collected, reviewed and considered as part of the investigation. The examples discussed in this report are thus intended to be illustrative and not exhaustive. If a description is a direct quote, it will be noted as such by quotation marks. The findings and conclusions set forth in this report are based on the entirety of the record considered by the Investigator and are

[2] RCW 42.56.250(1)(f).

not limited to the factual information contained in this report. The findings are based on a "preponderance of the evidence" standard which means that based on the credible evidence gathered during the investigation, it is "more likely than not" that an event occurred or did not occur as alleged. Background information is presented as context for the current workplace analysis. Finally, this report is not intended to provide any legal conclusions or offer any legal advice and should not be construed as such. Credibility determinations are made here where there is variance amongst witness statements or recollections.[3]

III. SUMMARY OF INVESTIGATION AND FINDINGS

At the outset, it is noted that several factual disputes exist. The parties generally acknowledged and/or referenced the same events but at times relayed varying recollection and personal perspective about the events. The one-on-one meetings between Complainant and others are without independent witness accounts as to what occurred or what was said at these meetings. In order to assist the Investigator in evaluating somewhat differing accounts of the specific content of events, the Investigator has reviewed the general chronology of events and various written memoranda that are relevant to these meetings and events, such as emails, summaries, transcripts, notes, and media coverage. Additionally, RC1 told the Investigator that she has no recollection of any person speaking to or about her using racially disparaging terms, slurs or jokes.

The weight of the credible evidence fails to support a finding that race-based or color-based animus motivated the events described by RC1 The evidence evaluated in this investigation fails to support deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive racial stereotypes and perceptions of social behaviors. A.G. 3.16.030.

A. Employment History, Current Role, and Summary of Concerns.

2021. Following an appointment and confirmation by the Pierce County Executive, on December 6, 2021 RC1 began her position as RC1 as a part of the Executive branch of County government. This is the same position RC1 currently holds. This appointment was made after a national search, October panel interviews, and the evaluation of internal and external candidates. RC1 of Pierce County (now retired) was RC1 direct supervisor. RC1 moved to Washington State from Texas with her spouse and began her new position in a new community.

In this new position, RC1 was responsible for managing over 50 employees and all of the Superior Court Clerk's Office Operations. Her last position in Texas was as Court Administrator for

[3] Generally speaking, credibility is not merely a determination of whether a witness is being truthful – it involves consideration of a number of factors which include, but are not limited to: (i) ability to observe; (ii) ability to recall and consistency of recollection; (iii) reputation for truthfulness; (iv) statements by other witnesses that are consistent or inconsistent with those of the declaring witness; (v) self-contradiction; (vi) bias/unusual interest in the outcome of the case or a friendly or hostile relationship with one of the parties; (vii) contemporaneous documentation; and (viii) an individual's conduct during the investigation, including demeanor and body language during interviews and/or other tangible and intangible conduct that goes to a witness's sincerity. Life and work experiences are also factored in as to a witness's perspective.

the City of the Colony.[4] Her past work experience was primarily with municipalities. One witness told the Investigator that after RC1 appointment was announced, a well-respected attorney (who was also a person of color) called her to raise the question of how an "outside hire" from a small city made sense over the qualified internal candidates; "DEI" was mentioned in passing by the attorney.

At the time of RC1 hire, the Chief Deputy Clerk position was vacant; RC1 reported directly to RC1. RC1 was a long-term employee and had unsuccessfully applied for RC1 position. As described in summary below, RC1 currently claims that issues of race were raised by RC1 during her first week of employment. Once RC1 got established in her role, she began to have regular meetings with RC1. When workplace issues arose, then-RC1 would occasionally participate in these meetings. RC1 also had her own routine check-in meetings with RC1. Both RC1 and RC1 had also been involved in interviewing and selecting RC1 for her position. RC1 also regularly participates in the executive cabinet meetings.

2022. In early 2022, RC1 provided RC1 a Memo of Expectations ("MOE") in the aftermath of an HR investigation. The founded misconduct involved the RC1 sending an angry member of the public to the County Executive's Office to lodge a complaint. According to the MOE, the individual was so angry and disruptive that he required a Sheriff's Deputy escort away from the Executive's Office. After receiving the MOE, RC1 was heard to slam his office door; this has been admitted to by RC1

Later in early spring 2022, RC1 opened the hiring process for the vacant Chief Deputy Clerk position. Both RC1 and RC1 applied for the job. RC1 was selected.[5] Subsequently, during an April 2022 meeting in RC1 own office to discuss the Deputy Clerk selection, RC1 was described to box RC1 in her office table while animatedly asking questions about his future, raising his voice, and leaning over RC1 office table; this description has been contested by RC1

In the aftermath, there was a May 2022 all staff Clerk's Office meeting to address among other items, the selection for Deputy Clerk. RC1 was standing very near RC1 during this meeting. There was a disagreement in investigative facts concerning whether or not RC1 was being intentionally encroaching and intimidating towards RC1

The ensuing HR investigation resulted in three out of four specific allegations being substantiated. In July 2022, RC1 provided a memo to HR regarding her performance expectations for RC1 and her observed performance deficiencies. In August 2022, RC1 delivered a letter of discipline (NOIS) to RC1 that included a period of suspension; RC1 signed the letter. Before the discipline was carried out, RC1 had a pre-disciplinary meeting with RC1. Despite conflicting opinions on the matter with members of the investigative team, RC1 told the Investigator that she was of the opinion that the discipline of suspension should be carried out. RC1 issued an October 5, 2022

[4] The City of the Colony has a population of approximately 45,000; Pierce County has a population of approximately 930,000.

[5] That Deputy Clerk resigned from her position in Fall 2023 and participated in an exit interview with the County Executive; she had been a long-term employee of the Clerk's Office.

notice memo for a 5-day suspension; RC1 was copied on this memo.[6] RC1 subsequently delivered to RC1 an October 20, 2022 "Clarification of Expectations" memo addressed to RC1 that she signed. RC1 later provided RC1 a November 15, 2022 memo response to his grievance of discipline that upheld the 5-day suspension; RC1 was copied on this memo. RC1 told the Investigator that in mid-November 2022, he resigned from his employment after carrying out his suspension; RC1 also provided an exit interview. During 2022, there was no documented racism raised by RC1

One witness told the Investigator that two of her Clerk's Office colleagues told her -- after the first 2022 HR investigation involving RC1 -- that "she [Complainant] must've been hired because she was black." This same witness refused to tell the Investigator the names of these employees or whether they still work in the Clerk's Office; they were referred to as "bigots." This witness denied hearing that statement or similar statements being made by RC1 This witness described that such comment was made after grumbling began about staff treatment by RC1 , and after concerns were voiced about RC1 knowledge base to run the Clerk's Office operations based on observations and conversations. This same witness recounted a conversation in RC1 own office "early on" where RC1 was "emotional" and recounted, "I'm a 51-year-old woman… But…it never stops hurting when people don't, that people don't think she's qualified or the people, that she continues to have to prove herself." This witness stated she never heard any employee "say that they didn't like RC1] because she was black."

2023. During the course of 2023, financial anomalies at the Clerk's Office began to be unearthed. RC1 worked with the RC1 and the County's internal auditing personnel to evaluate and address the issues and to add additional financial oversight, processes and controls. In addition to working with RC1 on these issues of financial irregularity, RC1 had previously worked with RC1 and her staff regarding routine budget preparation issues. RC1 and RC1 also both served on the executive level DEI Strategic Oversight & Coordination Committee ("SOCC"). Throughout this time working on various projects, RC1 expressed to the RC1 her perspective that various members of her staff were unsupportive and unhelpful to her. These concerns were similarly raised to RC1 and RC1 .

In late Spring 2023, the Clerk's Office Budget and Fiscal Services Manager ("Manager") resigned from his position; he obtained a manager position with Pierce County District Court and later with Superior Court. He had been a long-term employee with the Clerk's Office. On August 15, 2023, RC1 held a lengthy and frustrating meeting with Archer and two members of her HR staff to try to address how to get specific finance-related work done in the aftermath of the Manager having quit without leaving behind written procedures or protocols, and one staff (who had some cross-training) had decided to stop performing out-of-class work. The consensus of evidence supports that the Manager, though still a County employee, refused to help. According to contemporaneous notes, during this lengthy meeting, RC1 asked HR who would defend her in court if a "charge" was lodged against her for not getting this Clerk's Office work done. In the summer and fall 2023, the State Auditor's Office ("SAO") conducted an audit of the Clerk's Office and entered some adverse

[6] RC1 10/05/22 memo recounts the 05/22 staff meeting allegation of intentionally standing too close to RC1 as though it were a substantiated finding from his perspective.

findings on these fiscal issues. In September 2023, the County entered into an Executive Coach contract with an outside expert to provide additional support to RC1.

Additionally, after conducting a review of the history of the arrangement, in December 2023 RC1 terminated a longstanding informal agreement with a Title Company that had allowed the company to work from a table in the Clerk's Office without paying rent; this upended employees' decades-long protocols for Title issues and public document requests. This issue was later covered by the local news media in May 2024.[7] During 2023, there was no documented racism raised by RC1 generally; such was not raised directly to either the RC1 or RC1 during 2023.[8]

2024. In early March 2024, a local Tacoma newspaper reported information regarding the SAO audit and findings that were arguably not flattering to the Clerk's Office. In a separate article in early March, the same newspaper also reported that the Pierce County Clerk's Office staff were making allegations of a toxic workplace environment as created by RC1. RC1 and another former Clerk's Office employee denied to the Investigator bringing this information to the media.

In the March 21, 2024 SOCC meeting, RC1 became emotional and announced to the attending committee members that she no longer wanted to serve on the committee. She stated words to the effect that "nothing changes." Among other things, RC1 also recounted that she had been experiencing racism in the Clerk's Office during her term of Pierce County employment. Archer served as the Chair of the SOCC and attended this meeting. The RC1 was also present at this meeting. He explained to the Investigator that this was the first time he had heard RC1 raise racism as describing her experience as the RC1. The then-RC1 also attended this meeting. He recounted to the Investigator that RC1 asserted to the group something along the lines that "people do not know what it is like" when someone does not want to work with her "because she is black." The RC1 had not heard RC1 recount this experience before. This incident was reported to RC1.

The RC1 and then-RC1 followed up by meeting with RC1 several days later on March 25, 2024. RC1 specifically described to them that during the start of her employment, RC1 had told her that by hiring RC1 instead of RC1 -- the County had "gone a different direction" because RC1 "was black." Among several other issues, RC1 additionally

[7] During her interview, RC1 observed that RC1 was under quite a bit of "public scrutiny" with reporters calling. "It appeared to her that as they discovered things that hadn't been properly done by the previous clerk, as soon as they were discovered, somebody at the newspaper knew" and they would use it to say RC1 was not correctly managing the Clerk's Office. The Investigator notes that Kevin Stock provided an interview with at least one news reporter.

[8] In summer and fall 2023, several other Clerk's Office employees also resigned, to include the Criminal Diversion Program Manager; this employee had been a final candidate for the County Clerk position, had been promoted by RC1, had tried to split her workgroup off from the Clerk's Office, and had participated in an exit interview with the County Executive at the time of her separation. Various complaints about RC1 management style and operational acumen were made to HR in 2023. There were some follow up interviews in some instances but based on current review of documents and information received in the current investigation, it appears that no formal HR investigation occurred.

described her perspective that Clerk's Office employees were generally unhelpful and disrespectful to her due to racism, and that based on her experienced treatment by her subordinates, she had been a recipient of "mobbing."

On June 3, 2024, HR investigator, EEO & ADA Officer Vicki Moll emailed RC1 an EEO complaint form with some policy information. During a brief June 4, 2024 Teams call, RC1 told Ms. Moll, that she had been experiencing bullying, harassment and mobbing for two and a half years. RC1 posed the question "why now?" According to transcribed notes from a subsequent June 12, 2024 Teams call, RC1 told Ms. Moll:

> Looked at the policy. The part in my mind is to report things - that's *all* believe I've *been* doing - I've been reporting since I've been here. No one does anything. When you get to a point where you want to drive your car off a bridge… this is my life, and nobody cares about the trauma I go through. I'm supposed to accept it and am told I need to play nice. I don't know how to navigate, the policy says you report it and hope that this is never a race issue, but it *is* because people tell you things that bring it back around to that. Because I'm not the first… I've never been one to try to say that - I feel that is the easy way. I try to look at things from a different perspective. But when someone tells you that they are doing this because you are black. I can change my tone/approach, I can't change skin color.

Per the contemporaneous notes, RC1 larified to Moll that it was RC1 who had referred to the color of her skin. This is denied by RC1. Ms. Moll, repeatedly tried to interview RC1 (sent 06/03/24 email, complaint form, made phone calls, sent meeting invite), but RC1 repeatedly declined to be interviewed. On July 14, 2024, RC1 sent Ms. Moll (copying others) an email briefly discussing her perspective of being the recipient of workplace harassment and declining to be interviewed regarding the same. On August 15, 2024, after conducting staff interviews, HR closed out the June 11, 2024 disrespect investigation (not substantiated).

In early July 2024, RC1 issued a new visitor's policy for the Clerk's Office that was not well received by her staff. The Investigator speculates that the policy was issued in part due to RC1 not being comfortable with RC1 visiting with staff, but this is not confirmed. On August 29, 2024, there was a demand to bargain meeting with management and the union regarding in part, the new visitor's policy; afterwards, an emotionally charged Teams meeting ensued between RC1, the HR Assistant Director and then RC1. RC1 expressed upset over the union representative having suggested that RC1 treated newly hired employees differently from longer term employees. RC1 August 30 email discussing "mobbing" followed; race was not mentioned in RC1 email.

(i) <u>County Executive telling Complainant shortly after her hire that he needed to connect her with the "Black Collective."</u>

RC1 explained that on the day of her confirmation, the Executive told her he needed to get her "in front of" the "Black Collective." The "Black Collective" has been reported to the Investigator to be a volunteer group of black leaders who advocate and collaborate with public and private entities,

government, and business enterprise for mutual advantage and to promote the Collective's interests.[9] For example, the Black Collective was one of the County's partners in helping to inform the County's pandemic recovery work. Complainant told the Investigator that she was disconcerted by the County Executive telling her soon after her hire that he should be sure to get her connected with the Black Collective or words to that effect. As an advocacy, networking and/or affinity type group, even if such a conversation occurred, such individually does not provide a racially hostile remark such that it was patently harassing or offensive.

(ii) Complainant not feeling welcomed during the onboarding process to include her department staff apparently not being informed that she had been hired or was coming in on a particular day.

RC1 informed the Investigator that after her confirmation in late November, she went to her new office to explore the setting; she was not scheduled to start her new position until December 6. She had not been introduced to her staff, and specific staff to include the Interim Clerk seemed uncomfortable, unwelcoming and not aware that she might be arriving.[10] The Executive team did not specifically announce to the Clerk's Office employees which date RC1 would be arriving at her office. There is no evidence to suggest that RC1 was singled out in this regard. There was a press release concerning RC1 hire that was circulated and referenced by several witnesses. The press release stated that RC1 first day would be December 6, 2021. Another Caucasian Director comparator employee does not recall any specific announcement to her staff or overt welcoming efforts by her staff made at the time of her own hire. Specific interviewed former Clerk's Office employees told the Investigator they thought staff were welcoming to RC1 when she first began her employment. A formal orchestrated welcome could have improved RC1 experience, but as described here, its absence does not implicate the County's nondiscrimination policy provisions.

(iii) Complainant observing that her physical office space was dirty, and she had to clean it.

RC1 also described her upset over her "very dirty" office space. The Executive team did not specifically arrange for the County Facilities Management Department's custodial cleaning crew to clean RC1 individual office. Again, there is no evidence to suggest that RC1 was singled out in this regard. The evidence evaluated here does not support a conclusion that the County Executive or his team publicly hired RC1 and then intentionally humiliated her by purposefully allowing her to arrive in an unkempt office with a stale and dirty refrigerator. The Investigator notes that RC1 expressed that she was in fact put off by the dirt, dirty fridge with leftover moldy food, and need to request cleaning supplies to clean her own office. This upset was recounted to RC1 in March 2024 The individual concierge aspect of onboarding a new County Director could be improved but racial animus is not described or implicated here.

[9] About Us

[10] Witness RC1 was not at work on RC1 first day.

(iv) RC1 telling Complainant during first week of employment "the County decided to go a different direction" – "you're black" (regarding not appointing RC1).

RC1 told the Investigator that when she first met RC1, an applicant for RC1 job, RC1 made it clear to her that he was unhappy not to get her job; RC1 stated that despite the prior "plan," the County "decided to go a different direction."[11] When RC1 asked what RC1 meant, RC1 responded, "you're black." RC1 told the Investigator, "And I was like, I said, well, I'm just going to take that as I'm from Texas. And I got up and I walked out of the office because at that point in time, I knew where I stood with him who was just not nice." Per RC1, the following week she had a Teams check-in meeting with RC1 and told RC1 that RC made this statement. RC1 denied to the Investigator ever hearing this statement from RC1 until after the March 21, 2024 DEI SOCC meeting; RC1 acknowledged that RC1 told her that "the County went a different direction" along with RC1 apparent disgruntlement – but nothing about highlighting RC1 race. Until the March 2024 SOCC meeting RC1 took no notes of her years of discussions with RC1

RC1 denied to the Investigator ever telling RC1 that the County decided to go "a different direction" and something along the lines of, "you're black." In his interview, RC1 asserted that he first learned that RC1 was alleging racial animus during his interview with the Investigator. The key County executives that worked closely with RC1 in 2022 through March 2024 have no recollection of RC1 specifically attributing racism to RC1 ongoing complaints of her staff not supporting or helping her and disrespecting her. During the Clerk's pre-March 2024 myriad of informal complaints, formal complaints, written memoranda and interviews concerning RC1 in particular, she never before March 21, 2024 had raised racism to HR as a contributing factor in RC1 motivation.[12] RC1 had left County employment in November 2022.[13]

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[11] In his interview with the Investigator, RC1 disavowed having a prior belief that he was the natural successor to Kevin Stock in the Clerk's Office or stating to others having such a belief; based on a review of the evidence as a whole, the Investigator finds this assertion to be dubious. The Investigator also does not credit RC1 statements that he did all he could to make RC1 new role comfortable and positive. RC1 description continuing to reframe his behaviors that are the subject of 2022 substantiated investigation findings and discipline are also not credited by the Investigator.

[12] In then-Senior Labor Relations Analyst Melissa Arnold's May 5, 2022 notes from an interview with RC1 the following is summarized regarding RC1 "Hasn't physically done anything. Concern is unpredictability. Concerned about his instability. Behavior has gotten worse since she arrived. Behavior already there as others had told her that. Started when he didn't get past phone interview for clerk position. Isolated for weeks, wouldn't talk to anyone, slamming doors. When she arrived, his reception was very unpleasant."

[13] On July 8, 2024, RC1 was rehired by the County as a staff member in the Prosecutor's Office. This rehire was officially announced within the Prosecutor's Office on August 1. Even before his rehire, RC1 would occasionally visit former coworkers in the Clerk's Office. According to RC1, when RC1 heard about/saw this, she called RC1 to inform that she was afraid of RC1. Once RC1 was rehired, RC1 confirmed that his badge would not access the relevant section of the parking garage. According to RC1 when he learned that RC1 was expressing fear after RC1's re-hire, he gave RC1 his parking slot in the garage for ease of entry/access, and RC1 was connected with the Sheriff's Office security for escorts to her car. In July 2024, RC1 presented a new visitor's policy to her staff. Notably, on 08/29/24 during the emotionally charged Teams meeting with Arnold and RC1), the

RC1 told the Investigator that RC1 frequently raised racism *as a question* when she expressed her upset and frustration with her staff not supporting her efforts or disrespecting her; RC1 wondered aloud if racism could be the reason. RC1 explained that these types of conversations occurred with some frequency, and they all "melt together" in his mind. Per RC1 such a questioning "…was probably prompted as it often was by a specific instance of what she deemed lack of support or insubordination or inappropriate behavior associated with a meeting, a discussion, any issue." Per RC1 when he asked RC1 for specifics, "she said, there's nothing anyone has said or done that's clearly racist on its surface. It's just an accumulation of responses, actions that collectively indicate there must be a common attribute for all of this."

Regarding RC1 in particular, RC1 recalled at some point RC1 recounted that RC1 had said that he thought he was not going to like her "because you were black," but RC1 also stated that he changed his mind. RC1 stated he did not recall when RC1 told him about that statement, but it "was probably in the first year." This type of statement is denied by RC1. Per RC1 he recalled more than once reminding RC1 that it was her right to bring a complaint to HR; RC1 typically responded with words to the effect that she wanted to focus on doing her job and not rely on her race or raise a complaint. RC1 took no notes of his years of conversations with RC1. The Investigator observes that RC1 recollection of certain details in his interview are vague or are contradicted by specific records; the Investigator attributes this to memory rather than credibility (i.e., what RC1 discussed in his *Loudermill* hearing, reasons for RC1 discipline, or whether RC1 served his suspension before resigning).

(v) **RC1 telling Complainant that a particular staff member did not want to help her because she is black and minimizing described staff behaviors.**

In particular, RC1 described to the Investigator that after her RC1 , resigned in late spring 2023, he refused to help her when RC1 , and other staff were sorting out financial anomalies regarding account reconciliation during the 2023 audit and while addressing routine operations. This scenario has been confirmed by other witnesses. After leaving the Clerk's Office, RC1 began working for the District Court and then moved to Superior Court -- supervised by the Court Administrator.[14] By report, written protocols were not left by RC1 for

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RC1 loudly expressed to the HR representatives her anxiety related to "somebody" coming into the Clerk's Office, and she has stated that she has County Security staff walk her to her car at the end of her workday. RC1 RC1 described being "scared." On 08/29/24, RC1 also stated: I have to deal with somebody I am afraid of coming down in this office to intimidate me every chance he gets. And you know what? Also, staff that's here that allows him to come down here. I have a panic button in my office because I'm scared." In his interview with the Investigator, RC1 described his current dealings with the Clerk's Office: "I do have occasional workings with them as our office does filings and we have to request copies of prior records and things like that. So generally, right now a lot of my interactions can be done remotely. I don't have to go into the office for a whole lot, but occasionally I will need to go down to get subpoenas issued and pick up hard copies of documents that were not electronically processed." RC1 told the Investigator that he continues to routinely socialize with two Clerk's Office supervisors outside of work, and they have visited together at the Clerk's Office.

[14] RC1 current supervisor, the Court Administrator, is the husband to RC1 former Chief Deputy Clerk who resigned in 2023.

others to use. Per RC1, RC1 told her that "he's not going to help you because you're black." RC1 denied to the Investigator making a statement to RC1 that RC1 or any employee did not want to work with her because she is black. RC1 explained to the Investigator that she never met with RC1 or a partially cross-trained employee, RC1 regarding this topic. RC1 also denied speaking with RC1's supervisors on this topic.

RC1 told the Investigator that the color of RC1 skin was not raised in any fashion by RC1 in this scenario. With regard to sorting out the Clerk's Office' financial issues in 2023, according to RC1 and RC1 spoke with RC1 District Court supervisor to get some help, and the response from RC1 was "no." When RC1 moved to Superior Court, RC1 made another request for help – through the Court Administrator -- and the response was the same. Another staff member, RC1 who had some limited finance cross training, and had temporarily been performing specific duties while getting paid "out of class," eventually refused to help; RC1 was involved in meetings to address these issues. Race was not raised by RC1 in recorded notes from an August 15, 2023 meeting with several members of HR.

RC1 told the Investigator that at that time, he was not in a position to intervene given that RC1 no longer worked for the Clerk's Office. RC1 told the Investigator that race was not an issue in his interactions with RC1, but he felt like she created a hostile work environment for him and his colleagues; he affirmatively asserted that he left a red binder of all needed financial protocols in his office when he left the Clerk's Office and laterally transferred to the District Court. RC1 denied collaborating with any person to make RC1 life more difficult or telling RC1 that the office would fail without him; he emphatically explained to the Investigator that he refused to further assist RC1 because of the way he had been treated during his employment as her subordinate.[15]

Since 2022, RC1 had been routinely involved in speaking to RC1 about the scope of work at the Clerk's Office, operational and personnel conflicts, and the various HR investigations or inquiries that RC1 was involved in either as a complainant or participant. Archer had no recollection of hearing from RC1 any pre-March 21, 2024, statement that RC1 staff failed to help her or otherwise intentionally made her director job at the Clerk's Office more difficult *due to her race.* RC1 told the Investigator that over time RC1 would question motives and say she was raised not to attribute race as a motive for poor behavior.

RC1 explained to the Investigator that she spoke with RC1 about her concerns after she heard about them in late March 2024. Archer has tried to share her own experiences with RC1 as to not having organized office space or furniture when she arrived at her County employment and not feeling welcomed by her own staff. RC1 also spoke with RC1 about ways that she could try to work with her staff in a more collegial manner and try not to take disagreement personally (i.e., there are many reasons why employees misbehave). Over time, there had been many conversations surrounding Pierce County administrative guidelines and procedures for career service employees and the need to follow the bargaining agreements for union employees. These layers of procedure for

[15] The Investigator notes that RC1 stated he gave RC1 a positive reference when the County recently was seeking input. RC1 remains "friends" with Kevin Stock and keeps in touch with other former co-workers. RC1 provided an "anonymous" complaint memo to the Finance Department in October 2022 that was shared with the Executive's Office at the time; he also met with RC1.

managing employees and imposing discipline were at variance with RC1 prior work experience in Texas. Per RC1 and an independent review of specific meeting notes, these discussions tended to raise frustration for RC1.

(vi) Department staff not supporting or helping Complainant (particular staff resigned).

RC1 repeated to the Investigator her perspective that has been repeatedly shared with others regarding the lack of support and help from her staff. As referenced above, many staff left the Clerk's Office over the course of late 2022 and 2023. As a former Supervisor, RC1 described to the Investigator that he never heard anyone raise the subject of RC1 race in any fashion, and he never heard anyone describe RC1 's race or color as connected to any reason for resigning from the Clerk's Office and obtaining other employment either within or outside of County employment; he also denied hearing anyone use disparaging or denigrating comments or state jokes regarding RC1 as connected to her race or color. The former manager of the Criminal Diversion Program – who was also the interim Clerk during the 2021 selection process – denied to the Investigator ever hearing any Clerk's Office staff address RC1 race or color through the use of vulgarity, profanity or jokes. A witness who found other employment told the Investigator that at one point she became fatigued regarding employees complaining of RC1 "treatment" so she told them they should leave and find other employment. Many written complaints/memoranda about RC1 management/communication style describe reasons unconnected to race or color as the rationale for choosing to resign from the Clerk's Office. CH and the former Criminal Diversion manager specifically denied to the Investigator trying to make RC1 life difficult or encouraging others to be difficult or make RC1 role more difficult.

As described above, neither the former RC1 nor the former RC1 recall RC1 raising racism by her staff until March 21, 2024; RC1 was the specific staff member that RC1 identified.

(vii) Department staff not appropriately greeting Complainant in the mornings (eye rolls/ignore).

RC1 reiterated to the Investigator her previously raised concern that her staff did not return her morning greetings, and some rolled their eyes during morning greetings; RC1 has articulated a belief that such rude behavior has been orchestrated. RC1 told the Investigator that she worked with RC1 "about strategies for improving" that scenario, and also emphasized "that the majority were not behaving in that way." RC1 did not provide specific names to RC1 or the Investigator. The Investigator has not located evidence to corroborate this allegation by the weight of the evidence that many staff have generally failed to return RC1 morning greeting and some in fact rolled their eyes at her. Neither RC1 nor the former manager of the Diversion Program endorse this description. A current administrative staff member informed HR during a June 2024 investigation that two current staff members do not return RC1 greetings, and these same staff are mean to RC1 ; one staff member denied this description when interviewed by HR. As time moved forward in RC1 tenure, the weight of the evidence supports a conclusion that there likely arose non-discriminatory reasons for various now former staff to not feel inclined to robustly greet RC1

(viii) Department staff being disrespectful of Complainant (HR investigations).

RC1 repeated to the Investigator her perspective that at least two staff members were explicitly rude to her during two separate all staff meetings; the implication is that such was orchestrated amongst the group against RC1. HR contemporaneously followed up to investigate two specific complaints by RC1 regarding allegedly disrespectful staff behavior in staff meetings. Based on the evidence supplied by other witnesses with knowledge, these allegations, (i) encroaching on RC1 personal space in an intimidating fashion (April 2022) and (ii) raising voice and turning back on RC1 (June 2024) were not substantiated.[16] The spring 2022 door slamming, and office intimidating behavior allegations were substantiated RC1. According to RC1 and the documents reviewed by the Investigator, race as a motivating factor was not specifically raised by RC1 during either of these investigations; disrespect, harassment and hostility by her staff as a general concept has been raised by RC1 during the last several years.[17]

(ix) A Department Director asking Complainant her perspective of the black community's potential reaction to a jury verdict in a high-profile trial.

RC1 explained to the Investigator her affront to another Director asking her perspective about what the "black community's" reaction may be in the aftermath of a high-profile use of force verdict (12/2023). RC1 explained to the Investigator that she found this inquiry to be offensive. The Investigator gleaned that RC1 does not see herself as the emissary of the black community, and RC1 pointed out at the time that whatever the verdict outcome, it would impact more than just the black community. This inquiry may have offended RC1, but there were no slurs or denigrating comments made to RC1 -- or demeaning statements of any kind -- due to her color or race. RC1 was one of many recipients of the 2024 Executive's Award for her participation in a large team tasked with making the trial process transparent and accessible. Arguably, the Director in question may have made a clumsy inquiry while valuing a colleague's perspective, however such by

[16] In June 2024, after the staff meeting in question, RC1 told Vicki Moll that "I'm afraid of the continued disrespect. There is a group of people here. I try to not invest in, it's hard to navigate. I've tried not to allow them to pull me down in, or into new staff. When new staff are saying to me "why are they so mean to you?" This isn't isolated. People have been here a long time, have an established status, and new employees don't want to go against that. I don't…." Later, RC1 received a copy of the August 15, 2024 investigation closure letter (allegations unsubstantiated).

[17] For example, after the August 2024 demand to bargain meeting that led to RC1 August 30, 2024 email to HR and the Executive team, RC1 told Melissa Arnold that she was tired of all the harassment and mean people and provided the following example of something that upset her: "I go and spend my own money to make this a nice space [break room] for these same people who are so mean to me, won't even say good morning, but I'm treating them differently?! I don't understand that. I buy a 55 inch TV and they say 'it should've been a 70, why wasn't it that?' I can't win. I can't win!" RC1 has repeatedly raised with RC1 and RC1 her upset about certain current staff members and specific former staff members, RC1 and RC1 not cooperating with her and disrespecting her; such was also specifically raised in an August 15, 2023 lengthy, emotionally charged meeting with RC1, a newly hired Fiscal Manager, and several HR employees, to include RC1 then Asst. Dir. HR, Lisa Hilligoss, and then- RC1 ("Disrespected, talked about to my face, and it doesn't get any better for me.")

itself does raise a patently offensive issue to support harassment or a hostile work environment for RC1.

(x) RC1 and RC1 suggesting to Complainant that she discuss her concerns with a newly hired deputy prosecutor who is a person of color.

RC1 told the Investigator that after a new deputy prosecutor was hired in summer 2024, RC1 was encouraged first by RC1 and later by RC1 to speak with the attorney in part because the new prosecutor was a person of color. RC1 agrees that she encouraged RC1 to speak with this newly hired prosecutor as an outsider with a fresh perspective, an accomplished attorney from a respected law firm, and perhaps as a person of color there may be some helpful frame of reference for RC1 various concerns. Per RC1, RC1 had more than once referenced that the people she worked with do not "look like me." RC1 denied to the Investigator having a recollection of making a similar recommendation to RC1. However, he took no issue with the suggestion. This particular suggestion was offered as a resource to RC1 and not to create a harassing work environment or to otherwise offend RC1. The suggestion was offered amongst the array of earlier efforts by RC1 and others to respond to RC1 concerns and emotional upset, to include EAP services, in the context of RC1 repeatedly stating that she did not trust the prosecutor's office and she did not want to participate in a formal HR workplace investigation.

B. Conclusion

In December 2021, Complainant was hired as the appointed RC1, and she remains in that executive role today. When the new Pierce County Executive was elected into office in fall 2024, RC1 was re-appointed to her position. RC1 has not received any discipline or adverse employment action. Instead, the executive office has supported RC1 and given her the benefit of the doubt that past Clerk's Office staff complaints (formal or otherwise) largely resulted from (i) RC1 being a "change agent" for important operational process change and (ii) the staff being change averse. The former County Clerk had been with the County for almost two decades and the staff were accustomed to carrying out their responsibilities in a manner consistent with their prior boss' expectations. In many of the voluminous documents reviewed by the Investigator, some Clerk's Office staff have described feeling some surprise and some angst regarding the County's decision to appoint "an outsider."

During her term of employment, RC1 has been charged with implementing improvements to the Clerk's Office; she inherited many significant problems to include issues with financial oversight, account reconciliation, records management and retention practices, a need to convert from paper to electronic records, lack of cross-training, outdated software, and facilities issues such as rodents nesting amongst paper records, and a need to change out/update an employee break room. RC1 also implemented security improvements such as installing a "panic button" in her own office[18] and another staff's office, updating Lenel badging office access protocols, updating front counter protocols, implementing a new visitor's policy. RC1 also terminated a decades-long

[18] RC1 previously informed HR that she had the panic button installed in her own office in response to RC1 Spring 2022 encroaching and intimidating behaviors that resulted in his letter of suspension.

arrangement with a Title Company that had been working out of the Clerk's Office; this disrupted the employees' property title and public document request protocols.

Some notable staff attrition has contributed to workplace stress and loss of institutional knowledge. By fall 2023, the Clerk's Legal Processing Supervisor, Fiscal Manager, Deputy Clerk, Criminal Diversion Manager and many others had resigned; others had retired or were involuntarily let go. There were also employees that appear to have intentionally refused to extend themselves to be helpful during significant times of transition. In response to the angst described by RC1 during the first 20-months of her employment, in fall 2023 the County hired an Executive Coach to work with RC1 to help support and professionally problem solve effective leadership dealing with difficult staff in the face of the challenging issues described in part herein. Per RC1 the County has also suggested outreach to EAP services, and provided to the Clerk's Office staff additional DEI training, change management training, and managers' teambuilding training. In support of RC1 the County did not launch formal HR investigations when staff raised concerns regarding RC1 style of leadership or communications with staff. RC1 supervisor regularly met with RC1 to problem solve and support her in her role, and after March 2024, the HR Director routinely joined these meetings to try to provide support to RC1 . By many accounts, RC1 has been very emotional when recounting her frustrations with these many staff and operational challenges, and when describing her perspective that her work environment is harassing and hostile.

However, with one exception, neither RC1 nor any other witness interviewed in this Investigation recalled hearing any person ever verbally disparage RC1 due to her race or color, or use denigrating terms, slurs or jokes to or about RC1 due to her race or color. The anonymous written complaints provided to the Executive Office contained no race-based denigrating description. One witness recounted hearing two unnamed coworkers state that RC1 must have been hired because she is black (sometime after the first 2022 RC1 personnel investigation). The County policy provides the following examples of impermissible workplace harassment:

> Such impermissible conduct could include, but is not limited to, sexual, racial or ethnic jokes, mocking an accent or manner of speech, denigrating an individual because of membership in or affiliation with a protected class, displaying cartoons or literature embracing racially, sexually, or ethnically offensive clichés, or outright threat that a job or a job benefit would be denied because of membership in or affiliation with a protected class.

3.16.030.

The weight of the evidence evaluated in this investigation fails to support a finding that race or skin color was a motivating factor in the specific workplace disputes with RC1 subordinates, or others, described in summary fashion here. Similarly, "mobbing" is not supported by the evidence reviewed here.

Please advise should you need further investigation, clarification or elaboration.

To: joan@3brancheslaw.com[joan@3brancheslaw.com]
From: RC1
Sent: Tue 4/8/2025 2:25:58 PM
Subject: FW: Investigation Closure Notice
Received: Tue 4/8/2025 2:25:00 PM
Pierce County Executive Summary Report_B. Bannon.pdf

FYI –

RC1

From: Robin Vazquez <robin.vazquez@piercecountywa.gov>
Sent: Tuesday, April 8, 2025 1:32 PM
To: RC1 @piercecountywa.gov>
Cc: Scott Nicholson <scott.nicholson@piercecountywa.gov>; Treja Miranda <treja.miranda@piercecountywa.gov>
Subject: RE: Investigation Closure Notice

Hello RC1

Please see the attached executive summary report of the investigation, per your request. Thanks,

Robin C. Vazquez
Director of Human Resources
Human Resources
(253) 625-1555
she/her/hers | Why pronouns matter

"One isn't necessarily born with courage, but one is born with potential. Without courage, we cannot practice any other virtue with consistency." – Maya Angelou

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From: RC1 @piercecountywa.gov>
Sent: Monday, April 7, 2025 3:09 PM
To: Robin Vazquez <robin.vazquez@piercecountywa.gov>
Cc: Scott Nicholson <scott.nicholson@piercecountywa.gov>; Treja Miranda <treja.miranda@piercecountywa.gov>
Subject: RE: Investigation Closure Notice

Good afternoon,

Thank you for the information. I would like to request a copy of the executive summary report.

Sincerely,

RC1

Notice: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

From: Robin Vazquez <robin.vazquez@piercecountywa.gov>
Sent: Monday, April 7, 2025 3:02 PM
To: RC1 [redacted]@piercecountywa.gov>
Cc: Scott Nicholson <scott.nicholson@piercecountywa.gov>; Treja Miranda <treja.miranda@piercecountywa.gov>
Subject: Investigation Closure Notice
Importance: High

Hello RC1 [redacted]

I'm writing to let you know that the workplace investigation concerning allegations of improper workplace behaviors, to include harassment, hostile work environment, and discrimination based on race, has been completed.

Background:
In October 2024, Pierce County retained the services of a 3rd party law firm, Ogletree Deakins, to conduct an impartial investigation into your claims. Brenda Bannon served as the investigator. The investigation scope included evaluating whether current/former County Clerk's Office subordinate staff harbored discriminatory animus towards you and whether they created a hostile work environment for you or facilitated a workplace of "mobbing." Ten distinct allegations were reviewed and considered by the investigator.

Conclusion:
According to the summary of investigation and findings provided to the County by Ms. Bannon, the preponderance of evidence fails to support a finding that harassment, as defined in Administrative Guidelines 3.16.030, occurred. The weight of the evidence evaluated in the investigation also fails to support a finding that race or skin color was a motivating factor in the specific workplace disputes with RC1 [redacted] subordinates, or others, described in the allegations. Similarly, "mobbing" is not supported by the evidence reviewed by the investigator.

At this time the County considered this investigation to be concluded. A copy of the executive summary report is available upon request.

Robin C. Vazquez
Director of Human Resources
Human Resources
(253) 625-1555
she/her/hers | Why pronouns matter

"One isn't necessarily born with courage, but one is born with potential. Without courage, we cannot practice any other virtue with consistency." – Maya Angelou

Ogletree Deakins

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Facsimile: 206-693-7058
www.ogletreedeakins.com

CONFIDENTIAL MEMORANDUM

TO: Julie Demuth, Acting Deputy Director, Finance Department
Treja Miranda, Deputy Prosecuting Attorney

FROM: Brenda L. Bannon, Investigator

DATE: March 14, 2025

SUBJECT: ***Executive Summary Report; Pierce County Clerk's Office EEO Investigation***

I. SCOPE OF INVESTIGATION AND SUMMARY

On or around October 11, 2024, Pierce County ("the employer") retained my services to conduct an outside impartial workplace investigation concerning allegations of improper workplace behaviors to include harassment and hostile work environment discrimination based on race. The need for the investigation grew out of statements made by RC1 [redacted] or "Complainant") during and after a March 21, 2024 Diversity, Equity and Inclusion Strategic Oversight & Coordination Committee ("SOCC") meeting.

The investigation scope included evaluating whether current/former County Clerk's Office subordinate staff harbored discriminatory animus towards RC1 [redacted] such that they created a hostile work environment for her and/or facilitated a workplace of "mobbing" as described by RC1 [redacted]. In her interview, RC1 [redacted] also raised with the Investigator other aspects of her employment that caused her concern; selected illustrative examples will be addressed below.

Between November 26, 2024 and February 27, 2025, the following witnesses were interviewed: Complainant,[1] RC1 [redacted] (01/13 & 2/27), RC1 [redacted] (01/14), RC1 [redacted] (01/21), RC1 [redacted] (02/10), RC1 [redacted] (2/12), RC1 [redacted] (2/13) and RC1 [redacted] (3/13). Each witness was interviewed remotely using videoconferencing technology. RC1 [redacted] was my main point of contact to coordinate witnesses. Upon his retirement, I worked with Julie Demuth, Acting Deputy Finance Director. The PAO and Demuth helped compile relevant documents.

[1] Complainant was interviewed on 11/26/24; a mutually planned 12/09/24 follow-up interview was cancelled by Complainant; after many efforts to reschedule, on 02/26/25, a follow-up interview was attempted but was paused over logistical disputes once it began. No other interview was requested by Complainant.

Atlanta ▪ Austin ▪ Berlin (Germany) ▪ Birmingham ▪ Boston ▪ Charleston ▪ Charlotte ▪ Chicago ▪ Cleveland ▪ Columbia ▪ Columbus ▪ Dallas ▪ Denver ▪ Detroit Metro ▪ Greenville ▪ Houston ▪ Indianapolis ▪ Kansas City ▪ Las Vegas ▪ London (England) ▪ Los Angeles ▪ Memphis ▪ Mexico City (Mexico) ▪ Miami ▪ Milwaukee ▪ Minneapolis ▪ Montréal (Canada) ▪ Morristown ▪ Nashville ▪ New Orleans ▪ New York City ▪ Oklahoma City ▪ Orange County ▪ Paris (France) ▪ Philadelphia ▪ Phoenix ▪ Pittsburgh ▪ Portland, ME ▪ Portland, OR ▪ Raleigh ▪ Richmond ▪ St. Louis ▪ St. Thomas ▪ Sacramento ▪ Salt Lake City ▪ San Antonio ▪ San Diego ▪ San Francisco ▪ Seattle ▪ Stamford ▪ Tampa ▪ Toronto (Canada) ▪ Torrance ▪ Tucson ▪ Washington

I have compiled and reviewed contextual background information and relevant employer documents to include relevant personnel documents, the Clerk's Office Org Chart, the Employee Handbook, specific Human Resources investigations and findings, various personnel complaints and management follow-up memoranda and notes, exit interview summaries, miscellaneous memoranda, miscellaneous email, miscellaneous notes, transcripts, relevant policy provisions, news articles, and relevant publicly available information. Also, the PAO provided a summary memo of events and related documents at the start of the investigation; all of that information has been considered by the Investigator. The documents are too voluminous to individually list here. It is the Investigator's normal practice to accept business records prepared in the ordinary course of business as conclusive regarding dates and events. In an effort to protect the confidentiality of the investigation and to preserve the overall integrity of the general investigative process, I have only referenced participating witnesses' names in the narrative of the report where important to the overall context.[2]

II. POLICY PROVISIONS AND LEGAL STANDARD

The Investigator reviewed the applicable employer non-discrimination and anti-retaliation policy guidelines as the construct for the scope of this investigation. In her August 30, 2024 email to HR, RC1 also provided an excerpt from the County Administrative Guidelines as follows:

> Administrative Guidelines 3.16.030 Prohibition of Discrimination and Harassment. Harassment Defined. Harassment is a deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive sexual, racial, gender-based, national origin, religious, age-based or other class associated stereotypes and perceptions of social behaviors. Harassment can be verbal, non-verbal or physical. *It is not necessary that individuals intend their conduct to be harassing or act with a malicious or mean-spirited motive.* (emphasis in email).

"Mobbing" as referenced here generally refers to collective workplace harassment, ganging up against, and/or humiliation by employees against another employee, a concept introduced to HR and the Executive team in this matter by RC1 On August 30, 2024, following a "demand to bargain" labor management type meeting, RC1 sent a 3-page email to HR Assistant Director Melissa Arnold (copying several others) regarding the Clerk's Office new visitors' policy and a dispute that arose during the meeting; RC1 reportedly had cried and yelled at the HR representatives in a 08/29 Teams debrief meeting; RC1 specifically included the following definition of mobbing in her 08/30 email: *"Mobbing occurs when a group of individuals collaborate to intimidate, bully, harass, or pester one other individual. In a workplace, mobbing is when a group of employees participate in hostile behaviors towards another employee that makes it difficult for that employee to perform their job tasks and feel secure."* ***

This report is an Executive Summary report and is not intended to be a comprehensive recitation of all the information that was collected, reviewed and considered as part of the investigation. The examples discussed in this report are thus intended to be illustrative and not exhaustive. If a description is a direct quote, it will be noted as such by quotation marks. The findings and conclusions set forth in this report are based on the entirety of the record considered by the Investigator and are

[2] RCW 42.56.250(1)(f).

not limited to the factual information contained in this report. The findings are based on a "preponderance of the evidence" standard which means that based on the credible evidence gathered during the investigation, it is "more likely than not" that an event occurred or did not occur as alleged. Background information is presented as context for the current workplace analysis. Finally, this report is not intended to provide any legal conclusions or offer any legal advice and should not be construed as such. Credibility determinations are made here where there is variance amongst witness statements or recollections.[3]

III. SUMMARY OF INVESTIGATION AND FINDINGS

At the outset, it is noted that several factual disputes exist. The parties generally acknowledged and/or referenced the same events but at times relayed varying recollection and personal perspective about the events. The one-on-one meetings between Complainant and others are without independent witness accounts as to what occurred or what was said at these meetings. In order to assist the Investigator in evaluating somewhat differing accounts of the specific content of events, the Investigator has reviewed the general chronology of events and various written memoranda that are relevant to these meetings and events, such as emails, summaries, transcripts, notes, and media coverage. Additionally, RC1 told the Investigator that she has no recollection of any person speaking to or about her using racially disparaging terms, slurs or jokes.

The weight of the credible evidence fails to support a finding that race-based or color-based animus motivated the events described by RC1 The evidence evaluated in this investigation fails to support deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive racial stereotypes and perceptions of social behaviors. A.G. 3.16.030.

A. Employment History, Current Role, and Summary of Concerns.

2021. Following an appointment and confirmation by the Pierce County Executive, on December 6, 2021 RC1 began her position as RC1 as a part of the Executive branch of County government. This is the same position RC1 currently holds. This appointment was made after a national search, October panel interviews, and the evaluation of internal and external candidates. RC1 of Pierce County (now retired) was RC1 direct supervisor. RC1 moved to Washington State from Texas with her spouse and began her new position in a new community.

In this new position, RC1 was responsible for managing over 50 employees and all of the Superior Court Clerk's Office Operations. Her last position in Texas was as Court Administrator for

[3] Generally speaking, credibility is not merely a determination of whether a witness is being truthful – it involves consideration of a number of factors which include, but are not limited to: (i) ability to observe; (ii) ability to recall and consistency of recollection; (iii) reputation for truthfulness; (iv) statements by other witnesses that are consistent or inconsistent with those of the declaring witness; (v) self-contradiction; (vi) bias/unusual interest in the outcome of the case or a friendly or hostile relationship with one of the parties; (vii) contemporaneous documentation; and (viii) an individual's conduct during the investigation, including demeanor and body language during interviews and/or other tangible and intangible conduct that goes to a witness's sincerity. Life and work experiences are also factored in as to a witness's perspective.

the City of the Colony.[4] Her past work experience was primarily with municipalities. One witness told the Investigator that after RC1 appointment was announced, a well-respected attorney (who was also a person of color) called her to raise the question of how an "outside hire" from a small city made sense over the qualified internal candidates; "DEI" was mentioned in passing by the attorney.

At the time of RC1 hire, the Chief Deputy Clerk position was vacant; RC1 reported directly to RC1. RC1 was a long-term employee and had unsuccessfully applied for RC1 position. As described in summary below, RC1 currently claims that issues of race were raised by RC1 during her first week of employment. Once RC1 got established in her role, she began to have regular meetings with RC1. When workplace issues arose, then-RC1 would occasionally participate in these meetings. RC1 also had her own routine check-in meetings with RC1. Both RC1 and RC1 had also been involved in interviewing and selecting RC1 for her position. RC1 also regularly participates in the executive cabinet meetings.

2022. In early 2022, RC1 provided RC1 a Memo of Expectations ("MOE") in the aftermath of an HR investigation. The founded misconduct involved the RC1 sending an angry member of the public to the County Executive's Office to lodge a complaint. According to the MOE, the individual was so angry and disruptive that he required a Sheriff's Deputy escort away from the Executive's Office. After receiving the MOE, RC1 was heard to slam his office door; this has been admitted to by RC1

Later in early spring 2022, RC1 opened the hiring process for the vacant Chief Deputy Clerk position. Both RC1 and RC1 applied for the job. RC1 was selected.[5] Subsequently, during an April 2022 meeting in RC1 own office to discuss the Deputy Clerk selection, RC1 was described to box RC1 in her office table while animatedly asking questions about his future, raising his voice, and leaning over RC1 office table; this description has been contested by RC1

In the aftermath, there was a May 2022 all staff Clerk's Office meeting to address among other items, the selection for Deputy Clerk. RC1 was standing very near RC1 during this meeting. There was a disagreement in investigative facts concerning whether or not RC1 was being intentionally encroaching and intimidating towards RC1

The ensuing HR investigation resulted in three out of four specific allegations being substantiated. In July 2022, RC1 provided a memo to HR regarding her performance expectations for RC1 and her observed performance deficiencies. In August 2022, RC1 delivered a letter of discipline (NOIS) to RC1 that included a period of suspension; RC1 signed the letter. Before the discipline was carried out, RC1 had a pre-disciplinary meeting with RC1. Despite conflicting opinions on the matter with members of the investigative team, RC1 told the Investigator that she was of the opinion that the discipline of suspension should be carried out. RC1 issued an October 5, 2022

[4] The City of the Colony has a population of approximately 45,000; Pierce County has a population of approximately 930,000.

[5] That Deputy Clerk resigned from her position in Fall 2023 and participated in an exit interview with the County Executive; she had been a long-term employee of the Clerk's Office.

notice memo for a 5-day suspension; RC1 was copied on this memo.[6] RC1 subsequently delivered to RC1 an October 20, 2022 "Clarification of Expectations" memo addressed to RC1 that she signed. RC1 later provided RC1 a November 15, 2022 memo response to his grievance of discipline that upheld the 5-day suspension; RC1 was copied on this memo. RC1 told the Investigator that in mid-November 2022, he resigned from his employment after carrying out his suspension; RC1 also provided an exit interview. During 2022, there was no documented racism raised by RC1

One witness told the Investigator that two of her Clerk's Office colleagues told her -- after the first 2022 HR investigation involving RC1 -- that "she [Complainant] must've been hired because she was black." This same witness refused to tell the Investigator the names of these employees or whether they still work in the Clerk's Office; they were referred to as "bigots." This witness denied hearing that statement or similar statements being made by RC1 This witness described that such comment was made after grumbling began about staff treatment by RC1 , and after concerns were voiced about RC1 knowledge base to run the Clerk's Office operations based on observations and conversations. This same witness recounted a conversation in RC1 own office "early on" where RC1 was "emotional" and recounted, "I'm a 51-year-old woman… But…it never stops hurting when people don't, that people don't think she's qualified or the people, that she continues to have to prove herself." This witness stated she never heard any employee "say that they didn't like RC1] because she was black."

2023. During the course of 2023, financial anomalies at the Clerk's Office began to be unearthed. RC1 worked with the RC1 and the County's internal auditing personnel to evaluate and address the issues and to add additional financial oversight, processes and controls. In addition to working with RC1 on these issues of financial irregularity, RC1 had previously worked with RC1 and her staff regarding routine budget preparation issues. RC1 and RC1 also both served on the executive level DEI Strategic Oversight & Coordination Committee ("SOCC"). Throughout this time working on various projects, RC1 expressed to the RC1 her perspective that various members of her staff were unsupportive and unhelpful to her. These concerns were similarly raised to RC1 and RC1 .

In late Spring 2023, the Clerk's Office Budget and Fiscal Services Manager ("Manager") resigned from his position; he obtained a manager position with Pierce County District Court and later with Superior Court. He had been a long-term employee with the Clerk's Office. On August 15, 2023, RC1 k held a lengthy and frustrating meeting with Archer and two members of her HR staff to try to address how to get specific finance-related work done in the aftermath of the Manager having quit without leaving behind written procedures or protocols, and one staff (who had some cross-training) had decided to stop performing out-of-class work. The consensus of evidence supports that the Manager, though still a County employee, refused to help. According to contemporaneous notes, during this lengthy meeting, RC1 asked HR who would defend her in court if a "charge" was lodged against her for not getting this Clerk's Office work done. In the summer and fall 2023, the State Auditor's Office ("SAO") conducted an audit of the Clerk's Office and entered some adverse

[6] RC1 10/05/22 memo recounts the 05/22 staff meeting allegation of intentionally standing too close to RC1 as though it were a substantiated finding from his perspective.

findings on these fiscal issues. In September 2023, the County entered into an Executive Coach contract with an outside expert to provide additional support to RC1.

Additionally, after conducting a review of the history of the arrangement, in December 2023 RC1 terminated a longstanding informal agreement with a Title Company that had allowed the company to work from a table in the Clerk's Office without paying rent; this upended employees' decades-long protocols for Title issues and public document requests. This issue was later covered by the local news media in May 2024.[7] During 2023, there was no documented racism raised by RC1 generally; such was not raised directly to either the RC1 or RC1 during 2023.[8]

2024. In early March 2024, a local Tacoma newspaper reported information regarding the SAO audit and findings that were arguably not flattering to the Clerk's Office. In a separate article in early March, the same newspaper also reported that the Pierce County Clerk's Office staff were making allegations of a toxic workplace environment as created by RC1. RC1 and another former Clerk's Office employee denied to the Investigator bringing this information to the media.

In the March 21, 2024 SOCC meeting, RC1 became emotional and announced to the attending committee members that she no longer wanted to serve on the committee. She stated words to the effect that "nothing changes." Among other things, RC1 also recounted that she had been experiencing racism in the Clerk's Office during her term of Pierce County employment. Archer served as the Chair of the SOCC and attended this meeting. The RC1 was also present at this meeting. He explained to the Investigator that this was the first time he had heard RC1 raise racism as describing her experience as the RC1. The then-RC1 also attended this meeting. He recounted to the Investigator that RC1 asserted to the group something along the lines that "people do not know what it is like" when someone does not want to work with her "because she is black." The RC1 had not heard RC1 recount this experience before. This incident was reported to RC1.

The RC1 and then-RC1 followed up by meeting with RC1 several days later on March 25, 2024. RC1 specifically described to them that during the start of her employment, RC1 had told her that by hiring RC1 instead of RC1 -- the County had "gone a different direction" because RC1 "was black." Among several other issues, RC1 additionally

[7] During her interview, RC1 observed that RC1 was under quite a bit of "public scrutiny" with reporters calling. "It appeared to her that as they discovered things that hadn't been properly done by the previous clerk, as soon as they were discovered, somebody at the newspaper knew" and they would use it to say RC1 was not correctly managing the Clerk's Office. The Investigator notes that Kevin Stock provided an interview with at least one news reporter.

[8] In summer and fall 2023, several other Clerk's Office employees also resigned, to include the Criminal Diversion Program Manager; this employee had been a final candidate for the County Clerk position, had been promoted by RC1, had tried to split her workgroup off from the Clerk's Office, and had participated in an exit interview with the County Executive at the time of her separation. Various complaints about RC1 management style and operational acumen were made to HR in 2023. There were some follow up interviews in some instances but based on current review of documents and information received in the current investigation, it appears that no formal HR investigation occurred.

described her perspective that Clerk's Office employees were generally unhelpful and disrespectful to her due to racism, and that based on her experienced treatment by her subordinates, she had been a recipient of "mobbing."

On June 3, 2024, HR investigator, EEO & ADA Officer Vicki Moll emailed RC1 an EEO complaint form with some policy information. During a brief June 4, 2024 Teams call, RC1 told Ms. Moll, that she had been experiencing bullying, harassment and mobbing for two and a half years. RC1 posed the question "why now?" According to transcribed notes from a subsequent June 12, 2024 Teams call, RC1 told Ms. Moll:

> Looked at the policy. The part in my mind is to report things - that's *all* believe I've *been* doing - I've been reporting since I've been here. No one does anything. When you get to a point where you want to drive your car off a bridge… this is my life, and nobody cares about the trauma I go through. I'm supposed to accept it and am told I need to play nice. I don't know how to navigate, the policy says you report it and hope that this is never a race issue, but it *is* because people tell you things that bring it back around to that. Because I'm not the first… I've never been one to try to say that - I feel that is the easy way. I try to look at things from a different perspective. But when someone tells you that they are doing this because you are black. I can change my tone/approach, I can't change skin color.

Per the contemporaneous notes, RC1 larified to Moll that it was RC1 who had referred to the color of her skin. This is denied by RC1. Ms. Moll, repeatedly tried to interview RC1 (sent 06/03/24 email, complaint form, made phone calls, sent meeting invite), but RC1 repeatedly declined to be interviewed. On July 14, 2024, RC1 sent Ms. Moll (copying others) an email briefly discussing her perspective of being the recipient of workplace harassment and declining to be interviewed regarding the same. On August 15, 2024, after conducting staff interviews, HR closed out the June 11, 2024 disrespect investigation (not substantiated).

In early July 2024, RC1 issued a new visitor's policy for the Clerk's Office that was not well received by her staff. The Investigator speculates that the policy was issued in part due to RC1 not being comfortable with RC1 visiting with staff, but this is not confirmed. On August 29, 2024, there was a demand to bargain meeting with management and the union regarding in part, the new visitor's policy; afterwards, an emotionally charged Teams meeting ensued between RC1, the HR Assistant Director and then RC1. RC1 expressed upset over the union representative having suggested that RC1 treated newly hired employees differently from longer term employees. RC1 August 30 email discussing "mobbing" followed; race was not mentioned in RC1 email.

(i) <u>County Executive telling Complainant shortly after her hire that he needed to connect her with the "Black Collective."</u>

RC1 explained that on the day of her confirmation, the Executive told her he needed to get her "in front of" the "Black Collective." The "Black Collective" has been reported to the Investigator to be a volunteer group of black leaders who advocate and collaborate with public and private entities,

government, and business enterprise for mutual advantage and to promote the Collective's interests.[9] For example, the Black Collective was one of the County's partners in helping to inform the County's pandemic recovery work. Complainant told the Investigator that she was disconcerted by the County Executive telling her soon after her hire that he should be sure to get her connected with the Black Collective or words to that effect. As an advocacy, networking and/or affinity type group, even if such a conversation occurred, such individually does not provide a racially hostile remark such that it was patently harassing or offensive.

(ii) Complainant not feeling welcomed during the onboarding process to include her department staff apparently not being informed that she had been hired or was coming in on a particular day.

RC1 informed the Investigator that after her confirmation in late November, she went to her new office to explore the setting; she was not scheduled to start her new position until December 6. She had not been introduced to her staff, and specific staff to include the Interim Clerk seemed uncomfortable, unwelcoming and not aware that she might be arriving.[10] The Executive team did not specifically announce to the Clerk's Office employees which date RC1 would be arriving at her office. There is no evidence to suggest that RC1 was singled out in this regard. There was a press release concerning RC1 hire that was circulated and referenced by several witnesses. The press release stated that RC1 first day would be December 6, 2021. Another Caucasian Director comparator employee does not recall any specific announcement to her staff or overt welcoming efforts by her staff made at the time of her own hire. Specific interviewed former Clerk's Office employees told the Investigator they thought staff were welcoming to RC1 when she first began her employment. A formal orchestrated welcome could have improved RC1 experience, but as described here, its absence does not implicate the County's nondiscrimination policy provisions.

(iii) Complainant observing that her physical office space was dirty, and she had to clean it.

RC1 also described her upset over her "very dirty" office space. The Executive team did not specifically arrange for the County Facilities Management Department's custodial cleaning crew to clean RC1 individual office. Again, there is no evidence to suggest that RC1 was singled out in this regard. The evidence evaluated here does not support a conclusion that the County Executive or his team publicly hired RC1 and then intentionally humiliated her by purposefully allowing her to arrive in an unkempt office with a stale and dirty refrigerator. The Investigator notes that RC1 expressed that she was in fact put off by the dirt, dirty fridge with leftover moldy food, and need to request cleaning supplies to clean her own office. This upset was recounted to RC1 in March 2024 The individual concierge aspect of onboarding a new County Director could be improved but racial animus is not described or implicated here.

[9] About Us

[10] Witness RC1 was not at work on RC1 first day.

(iv) RC1 telling Complainant during first week of employment "the County decided to go a different direction" – "you're black" (regarding not appointing RC1).

RC1 told the Investigator that when she first met RC1, an applicant for RC1 job, RC1 made it clear to her that he was unhappy not to get her job; RC1 stated that despite the prior "plan," the County "decided to go a different direction."[11] When RC1 asked what RC1 meant, RC1 responded, "you're black." RC1 told the Investigator, "And I was like, I said, well, I'm just going to take that as I'm from Texas. And I got up and I walked out of the office because at that point in time, I knew where I stood with him who was just not nice." Per RC1, the following week she had a Teams check-in meeting with RC1 and told RC1 that RC made this statement. RC1 denied to the Investigator ever hearing this statement from RC1 until after the March 21, 2024 DEI SOCC meeting; RC1 acknowledged that RC1 told her that "the County went a different direction" along with RC1 apparent disgruntlement – but nothing about highlighting RC1 race. Until the March 2024 SOCC meeting RC1 took no notes of her years of discussions with RC1

RC1 denied to the Investigator ever telling RC1 that the County decided to go "a different direction" and something along the lines of, "you're black." In his interview, RC1 asserted that he first learned that RC1 was alleging racial animus during his interview with the Investigator. The key County executives that worked closely with RC1 in 2022 through March 2024 have no recollection of RC1 specifically attributing racism to RC1 ongoing complaints of her staff not supporting or helping her and disrespecting her. During the Clerk's pre-March 2024 myriad of informal complaints, formal complaints, written memoranda and interviews concerning RC1 in particular, she never before March 21, 2024 had raised racism to HR as a contributing factor in RC1 motivation.[12] RC1 had left County employment in November 2022.[13]

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[11] In his interview with the Investigator, RC1 disavowed having a prior belief that he was the natural successor to Kevin Stock in the Clerk's Office or stating to others having such a belief; based on a review of the evidence as a whole, the Investigator finds this assertion to be dubious. The Investigator also does not credit RC1 statements that he did all he could to make RC1 new role comfortable and positive. RC1 description continuing to reframe his behaviors that are the subject of 2022 substantiated investigation findings and discipline are also not credited by the Investigator.

[12] In then-Senior Labor Relations Analyst Melissa Arnold's May 5, 2022 notes from an interview with RC1 the following is summarized regarding RC1 "Hasn't physically done anything. Concern is unpredictability. Concerned about his instability. Behavior has gotten worse since she arrived. Behavior already there as others had told her that. Started when he didn't get past phone interview for clerk position. Isolated for weeks, wouldn't talk to anyone, slamming doors. When she arrived, his reception was very unpleasant."

[13] On July 8, 2024, RC1 was rehired by the County as a staff member in the Prosecutor's Office. This rehire was officially announced within the Prosecutor's Office on August 1. Even before his rehire, RC1 would occasionally visit former coworkers in the Clerk's Office. According to RC1, when RC1 heard about/saw this, she called RC1 to inform that she was afraid of RC1. Once RC1 was rehired, RC1 confirmed that his badge would not access the relevant section of the parking garage. According to RC1 when he learned that RC1 was expressing fear after RC1's re-hire, he gave RC1 his parking slot in the garage for ease of entry/access, and RC1 was connected with the Sheriff's Office security for escorts to her car. In July 2024, RC1 presented a new visitor's policy to her staff. Notably, on 08/29/24 during the emotionally charged Teams meeting with Arnold and RC1), the

RC1 told the Investigator that RC1 frequently raised racism *as a question* when she expressed her upset and frustration with her staff not supporting her efforts or disrespecting her; RC1 wondered aloud if racism could be the reason. RC1 explained that these types of conversations occurred with some frequency, and they all "melt together" in his mind. Per RC1 such a questioning "…was probably prompted as it often was by a specific instance of what she deemed lack of support or insubordination or inappropriate behavior associated with a meeting, a discussion, any issue." Per RC1 when he asked RC1 for specifics, "she said, there's nothing anyone has said or done that's clearly racist on its surface. It's just an accumulation of responses, actions that collectively indicate there must be a common attribute for all of this."

Regarding RC1 in particular, RC1 recalled at some point RC1 recounted that RC1 had said that he thought he was not going to like her "because you were black," but RC1 also stated that he changed his mind. RC1 stated he did not recall when RC1 told him about that statement, but it "was probably in the first year." This type of statement is denied by RC1. Per RC1 he recalled more than once reminding RC1 that it was her right to bring a complaint to HR; RC1 typically responded with words to the effect that she wanted to focus on doing her job and not rely on her race or raise a complaint. RC1 took no notes of his years of conversations with RC1. The Investigator observes that RC1 recollection of certain details in his interview are vague or are contradicted by specific records; the Investigator attributes this to memory rather than credibility (i.e., what RC1 discussed in his *Loudermill* hearing, reasons for RC1 discipline, or whether RC1 served his suspension before resigning).

(v) **RC1 telling Complainant that a particular staff member did not want to help her because she is black and minimizing described staff behaviors.**

In particular, RC1 described to the Investigator that after her RC1 , resigned in late spring 2023, he refused to help her when RC1 , and other staff were sorting out financial anomalies regarding account reconciliation during the 2023 audit and while addressing routine operations. This scenario has been confirmed by other witnesses. After leaving the Clerk's Office, RC1 began working for the District Court and then moved to Superior Court -- supervised by the Court Administrator.[14] By report, written protocols were not left by RC1 for

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RC1 loudly expressed to the HR representatives her anxiety related to "somebody" coming into the Clerk's Office, and she has stated that she has County Security staff walk her to her car at the end of her workday. RC1 RC1 described being "scared." On 08/29/24, RC1 also stated: I have to deal with somebody I am afraid of coming down in this office to intimidate me every chance he gets. And you know what? Also, staff that's here that allows him to come down here. I have a panic button in my office because I'm scared." In his interview with the Investigator, RC1 described his current dealings with the Clerk's Office: "I do have occasional workings with them as our office does filings and we have to request copies of prior records and things like that. So generally, right now a lot of my interactions can be done remotely. I don't have to go into the office for a whole lot, but occasionally I will need to go down to get subpoenas issued and pick up hard copies of documents that were not electronically processed." RC1 told the Investigator that he continues to routinely socialize with two Clerk's Office supervisors outside of work, and they have visited together at the Clerk's Office.

[14] RC1 current supervisor, the Court Administrator, is the husband to RC1 former Chief Deputy Clerk who resigned in 2023.

others to use. Per RC1, RC1 told her that "he's not going to help you because you're black." RC1 denied to the Investigator making a statement to RC1 that RC1 or any employee did not want to work with her because she is black. RC1 explained to the Investigator that she never met with RC1 or a partially cross-trained employee, RC1 regarding this topic. RC1 also denied speaking with RC1's supervisors on this topic.

RC1 told the Investigator that the color of RC1 skin was not raised in any fashion by RC1 in this scenario. With regard to sorting out the Clerk's Office' financial issues in 2023, according to RC1 and RC1 spoke with RC1 District Court supervisor to get some help, and the response from RC1 was "no." When RC1 moved to Superior Court, RC1 made another request for help – through the Court Administrator -- and the response was the same. Another staff member, RC1 who had some limited finance cross training, and had temporarily been performing specific duties while getting paid "out of class," eventually refused to help; RC1 was involved in meetings to address these issues. Race was not raised by RC1 in recorded notes from an August 15, 2023 meeting with several members of HR.

RC1 told the Investigator that at that time, he was not in a position to intervene given that RC1 no longer worked for the Clerk's Office. RC1 told the Investigator that race was not an issue in his interactions with RC1, but he felt like she created a hostile work environment for him and his colleagues; he affirmatively asserted that he left a red binder of all needed financial protocols in his office when he left the Clerk's Office and laterally transferred to the District Court. RC1 denied collaborating with any person to make RC1 life more difficult or telling RC1 that the office would fail without him; he emphatically explained to the Investigator that he refused to further assist RC1 because of the way he had been treated during his employment as her subordinate.[15]

Since 2022, RC1 had been routinely involved in speaking to RC1 about the scope of work at the Clerk's Office, operational and personnel conflicts, and the various HR investigations or inquiries that RC1 was involved in either as a complainant or participant. Archer had no recollection of hearing from RC1 any pre-March 21, 2024, statement that RC1 staff failed to help her or otherwise intentionally made her director job at the Clerk's Office more difficult *due to her race.* RC1 told the Investigator that over time RC1 would question motives and say she was raised not to attribute race as a motive for poor behavior.

RC1 explained to the Investigator that she spoke with RC1 about her concerns after she heard about them in late March 2024. Archer has tried to share her own experiences with RC1 as to not having organized office space or furniture when she arrived at her County employment and not feeling welcomed by her own staff. RC1 also spoke with RC1 about ways that she could try to work with her staff in a more collegial manner and try not to take disagreement personally (i.e., there are many reasons why employees misbehave). Over time, there had been many conversations surrounding Pierce County administrative guidelines and procedures for career service employees and the need to follow the bargaining agreements for union employees. These layers of procedure for

[15] The Investigator notes that RC1 stated he gave RC1 a positive reference when the County recently was seeking input. RC1 remains "friends" with Kevin Stock and keeps in touch with other former co-workers. RC1 provided an "anonymous" complaint memo to the Finance Department in October 2022 that was shared with the Executive's Office at the time; he also met with RC1.

managing employees and imposing discipline were at variance with RC1 prior work experience in Texas. Per RC1 and an independent review of specific meeting notes, these discussions tended to raise frustration for RC1.

(vi) Department staff not supporting or helping Complainant (particular staff resigned).

RC1 repeated to the Investigator her perspective that has been repeatedly shared with others regarding the lack of support and help from her staff. As referenced above, many staff left the Clerk's Office over the course of late 2022 and 2023. As a former Supervisor, RC1 described to the Investigator that he never heard anyone raise the subject of RC1 race in any fashion, and he never heard anyone describe RC1 's race or color as connected to any reason for resigning from the Clerk's Office and obtaining other employment either within or outside of County employment; he also denied hearing anyone use disparaging or denigrating comments or state jokes regarding RC1 as connected to her race or color. The former manager of the Criminal Diversion Program – who was also the interim Clerk during the 2021 selection process – denied to the Investigator ever hearing any Clerk's Office staff address RC1 race or color through the use of vulgarity, profanity or jokes. A witness who found other employment told the Investigator that at one point she became fatigued regarding employees complaining of RC1 "treatment" so she told them they should leave and find other employment. Many written complaints/memoranda about RC1 management/communication style describe reasons unconnected to race or color as the rationale for choosing to resign from the Clerk's Office. CH and the former Criminal Diversion manager specifically denied to the Investigator trying to make RC1 life difficult or encouraging others to be difficult or make RC1 role more difficult.

As described above, neither the former RC1 nor the former RC1 recall RC1 raising racism by her staff until March 21, 2024; RC1 was the specific staff member that RC1 identified.

(vii) Department staff not appropriately greeting Complainant in the mornings (eye rolls/ignore).

RC1 reiterated to the Investigator her previously raised concern that her staff did not return her morning greetings, and some rolled their eyes during morning greetings; RC1 has articulated a belief that such rude behavior has been orchestrated. RC1 told the Investigator that she worked with RC1 "about strategies for improving" that scenario, and also emphasized "that the majority were not behaving in that way." RC1 did not provide specific names to RC1 or the Investigator. The Investigator has not located evidence to corroborate this allegation by the weight of the evidence that many staff have generally failed to return RC1 morning greeting and some in fact rolled their eyes at her. Neither RC1 nor the former manager of the Diversion Program endorse this description. A current administrative staff member informed HR during a June 2024 investigation that two current staff members do not return RC1 greetings, and these same staff are mean to RC1 ; one staff member denied this description when interviewed by HR. As time moved forward in RC1 tenure, the weight of the evidence supports a conclusion that there likely arose non-discriminatory reasons for various now former staff to not feel inclined to robustly greet RC1

(viii) Department staff being disrespectful of Complainant (HR investigations).

RC1 repeated to the Investigator her perspective that at least two staff members were explicitly rude to her during two separate all staff meetings; the implication is that such was orchestrated amongst the group against RC1. HR contemporaneously followed up to investigate two specific complaints by RC1 regarding allegedly disrespectful staff behavior in staff meetings. Based on the evidence supplied by other witnesses with knowledge, these allegations, (i) encroaching on RC1 personal space in an intimidating fashion (April 2022) and (ii) raising voice and turning back on RC1 (June 2024) were not substantiated.[16] The spring 2022 door slamming, and office intimidating behavior allegations were substantiated RC1. According to RC1 and the documents reviewed by the Investigator, race as a motivating factor was not specifically raised by RC1 during either of these investigations; disrespect, harassment and hostility by her staff as a general concept has been raised by RC1 during the last several years.[17]

(ix) A Department Director asking Complainant her perspective of the black community's potential reaction to a jury verdict in a high-profile trial.

RC1 explained to the Investigator her affront to another Director asking her perspective about what the "black community's" reaction may be in the aftermath of a high-profile use of force verdict (12/2023). RC1 explained to the Investigator that she found this inquiry to be offensive. The Investigator gleaned that RC1 does not see herself as the emissary of the black community, and RC1 pointed out at the time that whatever the verdict outcome, it would impact more than just the black community. This inquiry may have offended RC1, but there were no slurs or denigrating comments made to RC1 -- or demeaning statements of any kind -- due to her color or race. RC1 was one of many recipients of the 2024 Executive's Award for her participation in a large team tasked with making the trial process transparent and accessible. Arguably, the Director in question may have made a clumsy inquiry while valuing a colleague's perspective, however such by

[16] In June 2024, after the staff meeting in question, RC1 told Vicki Moll that "I'm afraid of the continued disrespect. There is a group of people here. I try to not invest in, it's hard to navigate. I've tried not to allow them to pull me down in, or into new staff. When new staff are saying to me "why are they so mean to you?" This isn't isolated. People have been here a long time, have an established status, and new employees don't want to go against that. I don't…." Later, RC1 received a copy of the August 15, 2024 investigation closure letter (allegations unsubstantiated).

[17] For example, after the August 2024 demand to bargain meeting that led to RC1 August 30, 2024 email to HR and the Executive team, RC1 told Melissa Arnold that she was tired of all the harassment and mean people and provided the following example of something that upset her: "I go and spend my own money to make this a nice space [break room] for these same people who are so mean to me, won't even say good morning, but I'm treating them differently?! I don't understand that. I buy a 55 inch TV and they say 'it should've been a 70, why wasn't it that?' I can't win. I can't win!" RC1 has repeatedly raised with RC1 and RC1 her upset about certain current staff members and specific former staff members, RC1 and RC1 not cooperating with her and disrespecting her; such was also specifically raised in an August 15, 2023 lengthy, emotionally charged meeting with RC1, a newly hired Fiscal Manager, and several HR employees, to include RC1 then Asst. Dir. HR, Lisa Hilligoss, and then- RC1 ("Disrespected, talked about to my face, and it doesn't get any better for me.")

itself does raise a patently offensive issue to support harassment or a hostile work environment for RC1.

(x) RC1 and RC1 suggesting to Complainant that she discuss her concerns with a newly hired deputy prosecutor who is a person of color.

RC1 told the Investigator that after a new deputy prosecutor was hired in summer 2024, RC1 was encouraged first by RC1 and later by RC1 to speak with the attorney in part because the new prosecutor was a person of color. RC1 agrees that she encouraged RC1 to speak with this newly hired prosecutor as an outsider with a fresh perspective, an accomplished attorney from a respected law firm, and perhaps as a person of color there may be some helpful frame of reference for RC1 various concerns. Per RC1, RC1 had more than once referenced that the people she worked with do not "look like me." RC1 denied to the Investigator having a recollection of making a similar recommendation to RC1. However, he took no issue with the suggestion. This particular suggestion was offered as a resource to RC1 and not to create a harassing work environment or to otherwise offend RC1. The suggestion was offered amongst the array of earlier efforts by RC1 and others to respond to RC1 concerns and emotional upset, to include EAP services, in the context of RC1 repeatedly stating that she did not trust the prosecutor's office and she did not want to participate in a formal HR workplace investigation.

B. Conclusion

In December 2021, Complainant was hired as the appointed RC1, and she remains in that executive role today. When the new Pierce County Executive was elected into office in fall 2024, RC1 was re-appointed to her position. RC1 has not received any discipline or adverse employment action. Instead, the executive office has supported RC1 and given her the benefit of the doubt that past Clerk's Office staff complaints (formal or otherwise) largely resulted from (i) RC1 being a "change agent" for important operational process change and (ii) the staff being change averse. The former County Clerk had been with the County for almost two decades and the staff were accustomed to carrying out their responsibilities in a manner consistent with their prior boss' expectations. In many of the voluminous documents reviewed by the Investigator, some Clerk's Office staff have described feeling some surprise and some angst regarding the County's decision to appoint "an outsider."

During her term of employment, RC1 has been charged with implementing improvements to the Clerk's Office; she inherited many significant problems to include issues with financial oversight, account reconciliation, records management and retention practices, a need to convert from paper to electronic records, lack of cross-training, outdated software, and facilities issues such as rodents nesting amongst paper records, and a need to change out/update an employee break room. RC1 also implemented security improvements such as installing a "panic button" in her own office[18] and another staff's office, updating Lenel badging office access protocols, updating front counter protocols, implementing a new visitor's policy. RC1 also terminated a decades-long

[18] RC1 previously informed HR that she had the panic button installed in her own office in response to RC1 Spring 2022 encroaching and intimidating behaviors that resulted in his letter of suspension.

arrangement with a Title Company that had been working out of the Clerk's Office; this disrupted the employees' property title and public document request protocols.

Some notable staff attrition has contributed to workplace stress and loss of institutional knowledge. By fall 2023, the Clerk's Legal Processing Supervisor, Fiscal Manager, Deputy Clerk, Criminal Diversion Manager and many others had resigned; others had retired or were involuntarily let go. There were also employees that appear to have intentionally refused to extend themselves to be helpful during significant times of transition. In response to the angst described by RC1 during the first 20-months of her employment, in fall 2023 the County hired an Executive Coach to work with RC1 to help support and professionally problem solve effective leadership dealing with difficult staff in the face of the challenging issues described in part herein. Per RC1 the County has also suggested outreach to EAP services, and provided to the Clerk's Office staff additional DEI training, change management training, and managers' teambuilding training. In support of RC1 the County did not launch formal HR investigations when staff raised concerns regarding RC1 style of leadership or communications with staff. RC1 supervisor regularly met with RC1 to problem solve and support her in her role, and after March 2024, the HR Director routinely joined these meetings to try to provide support to RC1 . By many accounts, RC1 has been very emotional when recounting her frustrations with these many staff and operational challenges, and when describing her perspective that her work environment is harassing and hostile.

However, with one exception, neither RC1 nor any other witness interviewed in this Investigation recalled hearing any person ever verbally disparage RC1 due to her race or color, or use denigrating terms, slurs or jokes to or about RC1 due to her race or color. The anonymous written complaints provided to the Executive Office contained no race-based denigrating description. One witness recounted hearing two unnamed coworkers state that RC1 must have been hired because she is black (sometime after the first 2022 RC1 personnel investigation). The County policy provides the following examples of impermissible workplace harassment:

> Such impermissible conduct could include, but is not limited to, sexual, racial or ethnic jokes, mocking an accent or manner of speech, denigrating an individual because of membership in or affiliation with a protected class, displaying cartoons or literature embracing racially, sexually, or ethnically offensive clichés, or outright threat that a job or a job benefit would be denied because of membership in or affiliation with a protected class.

3.16.030.

The weight of the evidence evaluated in this investigation fails to support a finding that race or skin color was a motivating factor in the specific workplace disputes with RC1 subordinates, or others, described in summary fashion here. Similarly, "mobbing" is not supported by the evidence reviewed here.

Please advise should you need further investigation, clarification or elaboration.

To: RC1 [redacted]@piercecountywa.gov]
Cc: Scott Nicholson[scott.nicholson@piercecountywa.gov]; Treja Miranda[treja.miranda@piercecountywa.gov]
From: Robin Vazquez
Sent: Tue 4/8/2025 1:32:19 PM
Subject: RE: Investigation Closure Notice
Received: Tue 4/8/2025 1:32:23 PM
Pierce County Executive Summary Report_B. Bannon.pdf

Hello RC1 [redacted]

Please see the attached executive summary report of the investigation, per your request. Thanks,

Robin C. Vazquez
Director of Human Resources
Human Resources
(253) 625-1555
she/her/hers | Why pronouns matter

"One isn't necessarily born with courage, but one is born with potential. Without courage, we cannot practice any other virtue with consistency." – Maya Angelou

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From: RC1 [redacted]@piercecountywa.gov>
Sent: Monday, April 7, 2025 3:09 PM
To: Robin Vazquez <robin.vazquez@piercecountywa.gov>
Cc: Scott Nicholson <scott.nicholson@piercecountywa.gov>; Treja Miranda <treja.miranda@piercecountywa.gov>
Subject: RE: Investigation Closure Notice

Good afternoon,

Thank you for the information. I would like to request a copy of the executive summary report.

Sincerely,

RC1

Notice: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

From: Robin Vazquez <robin.vazquez@piercecountywa.gov>
Sent: Monday, April 7, 2025 3:02 PM
To: RC1 [redacted]@piercecountywa.gov>

Cc: Scott Nicholson <scott.nicholson@piercecountywa.gov>; Treja Miranda <treja.miranda@piercecountywa.gov>
Subject: Investigation Closure Notice
Importance: High

Hello RC1 [redacted]

I'm writing to let you know that the workplace investigation concerning allegations of improper workplace behaviors, to include harassment, hostile work environment, and discrimination based on race, has been completed.

Background:
In October 2024, Pierce County retained the services of a 3rd party law firm, Ogletree Deakins, to conduct an impartial investigation into your claims. Brenda Bannon served as the investigator. The investigation scope included evaluating whether current/former County Clerk's Office subordinate staff harbored discriminatory animus towards you and whether they created a hostile work environment for you or facilitated a workplace of "mobbing." Ten distinct allegations were reviewed and considered by the investigator.

Conclusion:
According to the summary of investigation and findings provided to the County by Ms. Bannon, the preponderance of evidence fails to support a finding that harassment, as defined in Administrative Guidelines 3.16.030, occurred. The weight of the evidence evaluated in the investigation also fails to support a finding that race or skin color was a motivating factor in the specific workplace disputes with RC1 [redacted] subordinates, or others, described in the allegations. Similarly, "mobbing" is not supported by the evidence reviewed by the investigator.

At this time the County considered this investigation to be concluded. A copy of the executive summary report is available upon request.

Robin C. Vazquez
Director of Human Resources
Human Resources
(253) 625-1555
she/her/hers | Why pronouns matter

"One isn't necessarily born with courage, but one is born with potential. Without courage, we cannot practice any other virtue with consistency." – Maya Angelou

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CONFIDENTIAL MEMORANDUM

TO: Julie Demuth, Acting Deputy Director, Finance Department
Treja Miranda, Deputy Prosecuting Attorney

FROM: Brenda L. Bannon, Investigator

DATE: March 14, 2025

SUBJECT: ***Executive Summary Report; Pierce County Clerk's Office EEO Investigation***

I. SCOPE OF INVESTIGATION AND SUMMARY

On or around October 11, 2024, Pierce County ("the employer") retained my services to conduct an outside impartial workplace investigation concerning allegations of improper workplace behaviors to include harassment and hostile work environment discrimination based on race. The need for the investigation grew out of statements made by RC1 [redacted] or "Complainant") during and after a March 21, 2024 Diversity, Equity and Inclusion Strategic Oversight & Coordination Committee ("SOCC") meeting.

The investigation scope included evaluating whether current/former County Clerk's Office subordinate staff harbored discriminatory animus towards RC1 [redacted] such that they created a hostile work environment for her and/or facilitated a workplace of "mobbing" as described by RC1 [redacted]. In her interview, RC1 [redacted] also raised with the Investigator other aspects of her employment that caused her concern; selected illustrative examples will be addressed below.

Between November 26, 2024 and February 27, 2025, the following witnesses were interviewed: Complainant,[1] RC1 [redacted] (01/13 & 2/27), RC1 [redacted] (01/14), RC1 [redacted] (01/21), RC1 [redacted] (02/10), RC1 [redacted] (2/12), RC1 [redacted] (2/13) and RC1 [redacted] (3/13). Each witness was interviewed remotely using videoconferencing technology. RC1 [redacted] was my main point of contact to coordinate witnesses. Upon his retirement, I worked with Julie Demuth, Acting Deputy Finance Director. The PAO and Demuth helped compile relevant documents.

[1] Complainant was interviewed on 11/26/24; a mutually planned 12/09/24 follow-up interview was cancelled by Complainant; after many efforts to reschedule, on 02/26/25, a follow-up interview was attempted but was paused over logistical disputes once it began. No other interview was requested by Complainant.

Atlanta ▪ Austin ▪ Berlin (Germany) ▪ Birmingham ▪ Boston ▪ Charleston ▪ Charlotte ▪ Chicago ▪ Cleveland ▪ Columbia ▪ Columbus ▪ Dallas ▪ Denver ▪ Detroit Metro ▪ Greenville ▪ Houston ▪ Indianapolis ▪ Kansas City ▪ Las Vegas ▪ London (England) ▪ Los Angeles ▪ Memphis ▪ Mexico City (Mexico) ▪ Miami ▪ Milwaukee ▪ Minneapolis ▪ Montréal (Canada) ▪ Morristown ▪ Nashville ▪ New Orleans ▪ New York City ▪ Oklahoma City ▪ Orange County ▪ Paris (France) ▪ Philadelphia ▪ Phoenix ▪ Pittsburgh ▪ Portland, ME ▪ Portland, OR ▪ Raleigh ▪ Richmond ▪ St. Louis ▪ St. Thomas ▪ Sacramento ▪ Salt Lake City ▪ San Antonio ▪ San Diego ▪ San Francisco ▪ Seattle ▪ Stamford ▪ Tampa ▪ Toronto (Canada) ▪ Torrance ▪ Tucson ▪ Washington

I have compiled and reviewed contextual background information and relevant employer documents to include relevant personnel documents, the Clerk's Office Org Chart, the Employee Handbook, specific Human Resources investigations and findings, various personnel complaints and management follow-up memoranda and notes, exit interview summaries, miscellaneous memoranda, miscellaneous email, miscellaneous notes, transcripts, relevant policy provisions, news articles, and relevant publicly available information. Also, the PAO provided a summary memo of events and related documents at the start of the investigation; all of that information has been considered by the Investigator. The documents are too voluminous to individually list here. It is the Investigator's normal practice to accept business records prepared in the ordinary course of business as conclusive regarding dates and events. In an effort to protect the confidentiality of the investigation and to preserve the overall integrity of the general investigative process, I have only referenced participating witnesses' names in the narrative of the report where important to the overall context.[2]

II. POLICY PROVISIONS AND LEGAL STANDARD

The Investigator reviewed the applicable employer non-discrimination and anti-retaliation policy guidelines as the construct for the scope of this investigation. In her August 30, 2024 email to HR, RC1 also provided an excerpt from the County Administrative Guidelines as follows:

> Administrative Guidelines 3.16.030 Prohibition of Discrimination and Harassment. Harassment Defined. Harassment is a deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive sexual, racial, gender-based, national origin, religious, age-based or other class associated stereotypes and perceptions of social behaviors. Harassment can be verbal, non-verbal or physical. *It is not necessary that individuals intend their conduct to be harassing or act with a malicious or mean-spirited motive.* (emphasis in email).

"Mobbing" as referenced here generally refers to collective workplace harassment, ganging up against, and/or humiliation by employees against another employee, a concept introduced to HR and the Executive team in this matter by RC1 On August 30, 2024, following a "demand to bargain" labor management type meeting, RC1 sent a 3-page email to HR Assistant Director Melissa Arnold (copying several others) regarding the Clerk's Office new visitors' policy and a dispute that arose during the meeting; RC1 reportedly had cried and yelled at the HR representatives in a 08/29 Teams debrief meeting; RC1 specifically included the following definition of mobbing in her 08/30 email: *"Mobbing occurs when a group of individuals collaborate to intimidate, bully, harass, or pester one other individual. In a workplace, mobbing is when a group of employees participate in hostile behaviors towards another employee that makes it difficult for that employee to perform their job tasks and feel secure."* ***

This report is an Executive Summary report and is not intended to be a comprehensive recitation of all the information that was collected, reviewed and considered as part of the investigation. The examples discussed in this report are thus intended to be illustrative and not exhaustive. If a description is a direct quote, it will be noted as such by quotation marks. The findings and conclusions set forth in this report are based on the entirety of the record considered by the Investigator and are

[2] RCW 42.56.250(1)(f).

not limited to the factual information contained in this report. The findings are based on a "preponderance of the evidence" standard which means that based on the credible evidence gathered during the investigation, it is "more likely than not" that an event occurred or did not occur as alleged. Background information is presented as context for the current workplace analysis. Finally, this report is not intended to provide any legal conclusions or offer any legal advice and should not be construed as such. Credibility determinations are made here where there is variance amongst witness statements or recollections.[3]

III. SUMMARY OF INVESTIGATION AND FINDINGS

At the outset, it is noted that several factual disputes exist. The parties generally acknowledged and/or referenced the same events but at times relayed varying recollection and personal perspective about the events. The one-on-one meetings between Complainant and others are without independent witness accounts as to what occurred or what was said at these meetings. In order to assist the Investigator in evaluating somewhat differing accounts of the specific content of events, the Investigator has reviewed the general chronology of events and various written memoranda that are relevant to these meetings and events, such as emails, summaries, transcripts, notes, and media coverage. Additionally, RC1 told the Investigator that she has no recollection of any person speaking to or about her using racially disparaging terms, slurs or jokes.

The weight of the credible evidence fails to support a finding that race-based or color-based animus motivated the events described by RC1 The evidence evaluated in this investigation fails to support deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive racial stereotypes and perceptions of social behaviors. A.G. 3.16.030.

A. Employment History, Current Role, and Summary of Concerns.

2021. Following an appointment and confirmation by the Pierce County Executive, on December 6, 2021 RC1 began her position as RC1 as a part of the Executive branch of County government. This is the same position RC1 currently holds. This appointment was made after a national search, October panel interviews, and the evaluation of internal and external candidates. RC1 of Pierce County (now retired) was RC1 direct supervisor. RC1 moved to Washington State from Texas with her spouse and began her new position in a new community.

In this new position, RC1 was responsible for managing over 50 employees and all of the Superior Court Clerk's Office Operations. Her last position in Texas was as Court Administrator for

[3] Generally speaking, credibility is not merely a determination of whether a witness is being truthful – it involves consideration of a number of factors which include, but are not limited to: (i) ability to observe; (ii) ability to recall and consistency of recollection; (iii) reputation for truthfulness; (iv) statements by other witnesses that are consistent or inconsistent with those of the declaring witness; (v) self-contradiction; (vi) bias/unusual interest in the outcome of the case or a friendly or hostile relationship with one of the parties; (vii) contemporaneous documentation; and (viii) an individual's conduct during the investigation, including demeanor and body language during interviews and/or other tangible and intangible conduct that goes to a witness's sincerity. Life and work experiences are also factored in as to a witness's perspective.

the City of the Colony.[4] Her past work experience was primarily with municipalities. One witness told the Investigator that after RC1 appointment was announced, a well-respected attorney (who was also a person of color) called her to raise the question of how an "outside hire" from a small city made sense over the qualified internal candidates; "DEI" was mentioned in passing by the attorney.

At the time of RC1 hire, the Chief Deputy Clerk position was vacant; RC1 reported directly to RC1. RC1 was a long-term employee and had unsuccessfully applied for RC1 position. As described in summary below, RC1 currently claims that issues of race were raised by RC1 during her first week of employment. Once RC1 got established in her role, she began to have regular meetings with RC1. When workplace issues arose, then-RC1 would occasionally participate in these meetings. RC1 also had her own routine check-in meetings with RC1. Both RC1 and RC1 had also been involved in interviewing and selecting RC1 for her position. RC1 also regularly participates in the executive cabinet meetings.

2022. In early 2022, RC1 provided RC1 a Memo of Expectations ("MOE") in the aftermath of an HR investigation. The founded misconduct involved the RC1 sending an angry member of the public to the County Executive's Office to lodge a complaint. According to the MOE, the individual was so angry and disruptive that he required a Sheriff's Deputy escort away from the Executive's Office. After receiving the MOE, RC1 was heard to slam his office door; this has been admitted to by RC1

Later in early spring 2022, RC1 opened the hiring process for the vacant Chief Deputy Clerk position. Both RC1 and RC1 applied for the job. RC1 was selected.[5] Subsequently, during an April 2022 meeting in RC1 own office to discuss the Deputy Clerk selection, RC1 was described to box RC1 in her office table while animatedly asking questions about his future, raising his voice, and leaning over RC1 office table; this description has been contested by RC1

In the aftermath, there was a May 2022 all staff Clerk's Office meeting to address among other items, the selection for Deputy Clerk. RC1 was standing very near RC1 during this meeting. There was a disagreement in investigative facts concerning whether or not RC1 was being intentionally encroaching and intimidating towards RC1

The ensuing HR investigation resulted in three out of four specific allegations being substantiated. In July 2022, RC1 provided a memo to HR regarding her performance expectations for RC1 and her observed performance deficiencies. In August 2022, RC1 delivered a letter of discipline (NOIS) to RC1 that included a period of suspension; RC1 signed the letter. Before the discipline was carried out, RC1 had a pre-disciplinary meeting with RC1. Despite conflicting opinions on the matter with members of the investigative team, RC1 told the Investigator that she was of the opinion that the discipline of suspension should be carried out. RC1 issued an October 5, 2022

[4] The City of the Colony has a population of approximately 45,000; Pierce County has a population of approximately 930,000.

[5] That Deputy Clerk resigned from her position in Fall 2023 and participated in an exit interview with the County Executive; she had been a long-term employee of the Clerk's Office.

notice memo for a 5-day suspension; RC1 was copied on this memo.[6] RC1 subsequently delivered to RC1 an October 20, 2022 "Clarification of Expectations" memo addressed to RC1 that she signed. RC1 later provided RC1 a November 15, 2022 memo response to his grievance of discipline that upheld the 5-day suspension; RC1 was copied on this memo. RC1 told the Investigator that in mid-November 2022, he resigned from his employment after carrying out his suspension; RC1 also provided an exit interview. During 2022, there was no documented racism raised by RC1

One witness told the Investigator that two of her Clerk's Office colleagues told her -- after the first 2022 HR investigation involving RC1 -- that "she [Complainant] must've been hired because she was black." This same witness refused to tell the Investigator the names of these employees or whether they still work in the Clerk's Office; they were referred to as "bigots." This witness denied hearing that statement or similar statements being made by RC1 This witness described that such comment was made after grumbling began about staff treatment by RC1 , and after concerns were voiced about RC1 knowledge base to run the Clerk's Office operations based on observations and conversations. This same witness recounted a conversation in RC1 own office "early on" where RC1 was "emotional" and recounted, "I'm a 51-year-old woman… But…it never stops hurting when people don't, that people don't think she's qualified or the people, that she continues to have to prove herself." This witness stated she never heard any employee "say that they didn't like RC1] because she was black."

2023. During the course of 2023, financial anomalies at the Clerk's Office began to be unearthed. RC1 worked with the RC1 and the County's internal auditing personnel to evaluate and address the issues and to add additional financial oversight, processes and controls. In addition to working with RC1 on these issues of financial irregularity, RC1 had previously worked with RC1 and her staff regarding routine budget preparation issues. RC1 and RC1 also both served on the executive level DEI Strategic Oversight & Coordination Committee ("SOCC"). Throughout this time working on various projects, RC1 expressed to the RC1 her perspective that various members of her staff were unsupportive and unhelpful to her. These concerns were similarly raised to RC1 and RC1 .

In late Spring 2023, the Clerk's Office Budget and Fiscal Services Manager ("Manager") resigned from his position; he obtained a manager position with Pierce County District Court and later with Superior Court. He had been a long-term employee with the Clerk's Office. On August 15, 2023, RC1 held a lengthy and frustrating meeting with Archer and two members of her HR staff to try to address how to get specific finance-related work done in the aftermath of the Manager having quit without leaving behind written procedures or protocols, and one staff (who had some cross-training) had decided to stop performing out-of-class work. The consensus of evidence supports that the Manager, though still a County employee, refused to help. According to contemporaneous notes, during this lengthy meeting, RC1 asked HR who would defend her in court if a "charge" was lodged against her for not getting this Clerk's Office work done. In the summer and fall 2023, the State Auditor's Office ("SAO") conducted an audit of the Clerk's Office and entered some adverse

[6] RC1 10/05/22 memo recounts the 05/22 staff meeting allegation of intentionally standing too close to RC1 as though it were a substantiated finding from his perspective.

findings on these fiscal issues. In September 2023, the County entered into an Executive Coach contract with an outside expert to provide additional support to RC1.

Additionally, after conducting a review of the history of the arrangement, in December 2023 RC1 terminated a longstanding informal agreement with a Title Company that had allowed the company to work from a table in the Clerk's Office without paying rent; this upended employees' decades-long protocols for Title issues and public document requests. This issue was later covered by the local news media in May 2024.[7] During 2023, there was no documented racism raised by RC1 generally; such was not raised directly to either the RC1 or RC1 during 2023.[8]

2024. In early March 2024, a local Tacoma newspaper reported information regarding the SAO audit and findings that were arguably not flattering to the Clerk's Office. In a separate article in early March, the same newspaper also reported that the Pierce County Clerk's Office staff were making allegations of a toxic workplace environment as created by RC1. RC1 and another former Clerk's Office employee denied to the Investigator bringing this information to the media.

In the March 21, 2024 SOCC meeting, RC1 became emotional and announced to the attending committee members that she no longer wanted to serve on the committee. She stated words to the effect that "nothing changes." Among other things, RC1 also recounted that she had been experiencing racism in the Clerk's Office during her term of Pierce County employment. Archer served as the Chair of the SOCC and attended this meeting. The RC1 was also present at this meeting. He explained to the Investigator that this was the first time he had heard RC1 raise racism as describing her experience as the RC1. The then-RC1 also attended this meeting. He recounted to the Investigator that RC1 asserted to the group something along the lines that "people do not know what it is like" when someone does not want to work with her "because she is black." The RC1 had not heard RC1 recount this experience before. This incident was reported to RC1.

The RC1 and then-RC1 followed up by meeting with RC1 several days later on March 25, 2024. RC1 specifically described to them that during the start of her employment, RC1 had told her that by hiring RC1 instead of RC1 -- the County had "gone a different direction" because RC1 "was black." Among several other issues, RC1 additionally

[7] During her interview, RC1 observed that RC1 was under quite a bit of "public scrutiny" with reporters calling. "It appeared to her that as they discovered things that hadn't been properly done by the previous clerk, as soon as they were discovered, somebody at the newspaper knew" and they would use it to say RC1 was not correctly managing the Clerk's Office. The Investigator notes that Kevin Stock provided an interview with at least one news reporter.

[8] In summer and fall 2023, several other Clerk's Office employees also resigned, to include the Criminal Diversion Program Manager; this employee had been a final candidate for the County Clerk position, had been promoted by RC1, had tried to split her workgroup off from the Clerk's Office, and had participated in an exit interview with the County Executive at the time of her separation. Various complaints about RC1 management style and operational acumen were made to HR in 2023. There were some follow up interviews in some instances but based on current review of documents and information received in the current investigation, it appears that no formal HR investigation occurred.

described her perspective that Clerk's Office employees were generally unhelpful and disrespectful to her due to racism, and that based on her experienced treatment by her subordinates, she had been a recipient of "mobbing."

On June 3, 2024, HR investigator, EEO & ADA Officer Vicki Moll emailed RC1 an EEO complaint form with some policy information. During a brief June 4, 2024 Teams call, RC1 told Ms. Moll, that she had been experiencing bullying, harassment and mobbing for two and a half years. RC1 posed the question "why now?" According to transcribed notes from a subsequent June 12, 2024 Teams call, RC1 told Ms. Moll:

> Looked at the policy. The part in my mind is to report things - that's *all* believe I've *been* doing - I've been reporting since I've been here. No one does anything. When you get to a point where you want to drive your car off a bridge… this is my life, and nobody cares about the trauma I go through. I'm supposed to accept it and am told I need to play nice. I don't know how to navigate, the policy says you report it and hope that this is never a race issue, but it *is* because people tell you things that bring it back around to that. Because I'm not the first… I've never been one to try to say that - I feel that is the easy way. I try to look at things from a different perspective. But when someone tells you that they are doing this because you are black. I can change my tone/approach, I can't change skin color.

Per the contemporaneous notes, RC1 larified to Moll that it was RC1 who had referred to the color of her skin. This is denied by RC1. Ms. Moll, repeatedly tried to interview RC1 (sent 06/03/24 email, complaint form, made phone calls, sent meeting invite), but RC1 repeatedly declined to be interviewed. On July 14, 2024, RC1 sent Ms. Moll (copying others) an email briefly discussing her perspective of being the recipient of workplace harassment and declining to be interviewed regarding the same. On August 15, 2024, after conducting staff interviews, HR closed out the June 11, 2024 disrespect investigation (not substantiated).

In early July 2024, RC1 issued a new visitor's policy for the Clerk's Office that was not well received by her staff. The Investigator speculates that the policy was issued in part due to RC1 not being comfortable with RC1 visiting with staff, but this is not confirmed. On August 29, 2024, there was a demand to bargain meeting with management and the union regarding in part, the new visitor's policy; afterwards, an emotionally charged Teams meeting ensued between RC1, the HR Assistant Director and then RC1. RC1 expressed upset over the union representative having suggested that RC1 treated newly hired employees differently from longer term employees. RC1 August 30 email discussing "mobbing" followed; race was not mentioned in RC1 email.

(i) <u>County Executive telling Complainant shortly after her hire that he needed to connect her with the "Black Collective."</u>

RC1 explained that on the day of her confirmation, the Executive told her he needed to get her "in front of" the "Black Collective." The "Black Collective" has been reported to the Investigator to be a volunteer group of black leaders who advocate and collaborate with public and private entities,

government, and business enterprise for mutual advantage and to promote the Collective's interests.[9] For example, the Black Collective was one of the County's partners in helping to inform the County's pandemic recovery work. Complainant told the Investigator that she was disconcerted by the County Executive telling her soon after her hire that he should be sure to get her connected with the Black Collective or words to that effect. As an advocacy, networking and/or affinity type group, even if such a conversation occurred, such individually does not provide a racially hostile remark such that it was patently harassing or offensive.

(ii) Complainant not feeling welcomed during the onboarding process to include her department staff apparently not being informed that she had been hired or was coming in on a particular day.

RC1 informed the Investigator that after her confirmation in late November, she went to her new office to explore the setting; she was not scheduled to start her new position until December 6. She had not been introduced to her staff, and specific staff to include the Interim Clerk seemed uncomfortable, unwelcoming and not aware that she might be arriving.[10] The Executive team did not specifically announce to the Clerk's Office employees which date RC1 would be arriving at her office. There is no evidence to suggest that RC1 was singled out in this regard. There was a press release concerning RC1 hire that was circulated and referenced by several witnesses. The press release stated that RC1 first day would be December 6, 2021. Another Caucasian Director comparator employee does not recall any specific announcement to her staff or overt welcoming efforts by her staff made at the time of her own hire. Specific interviewed former Clerk's Office employees told the Investigator they thought staff were welcoming to RC1 when she first began her employment. A formal orchestrated welcome could have improved RC1 experience, but as described here, its absence does not implicate the County's nondiscrimination policy provisions.

(iii) Complainant observing that her physical office space was dirty, and she had to clean it.

RC1 also described her upset over her "very dirty" office space. The Executive team did not specifically arrange for the County Facilities Management Department's custodial cleaning crew to clean RC1 individual office. Again, there is no evidence to suggest that RC1 was singled out in this regard. The evidence evaluated here does not support a conclusion that the County Executive or his team publicly hired RC1 and then intentionally humiliated her by purposefully allowing her to arrive in an unkempt office with a stale and dirty refrigerator. The Investigator notes that RC1 expressed that she was in fact put off by the dirt, dirty fridge with leftover moldy food, and need to request cleaning supplies to clean her own office. This upset was recounted to RC1 in March 2024 The individual concierge aspect of onboarding a new County Director could be improved but racial animus is not described or implicated here.

[9] About Us

[10] Witness RC1 was not at work on RC1 first day.

(iv) RC1 telling Complainant during first week of employment "the County decided to go a different direction" – "you're black" (regarding not appointing RC1).

RC1 told the Investigator that when she first met RC1, an applicant for RC1 job, RC1 made it clear to her that he was unhappy not to get her job. RC1 stated that despite the prior "plan," the County "decided to go a different direction."[11] When RC1 asked what RC1 meant, RC1 responded, "you're black." RC1 told the Investigator, "And I was like, I said, well, I'm just going to take that as I'm from Texas. And I got up and I walked out of the office because at that point in time, I knew where I stood with him who was just not nice." Per RC1, the following week she had a Teams check-in meeting with RC1 and told RC1 that RC made this statement. RC1 denied to the Investigator ever hearing this statement from RC1 until after the March 21, 2024 DEI SOCC meeting; RC1 acknowledged that RC1 told her that "the County went a different direction" along with RC1 apparent disgruntlement – but nothing about highlighting RC1 race. Until the March 2024 SOCC meeting RC1 took no notes of her years of discussions with RC1

RC1 denied to the Investigator ever telling RC1 that the County decided to go "a different direction" and something along the lines of, "you're black." In his interview, RC1 asserted that he first learned that RC1 was alleging racial animus during his interview with the Investigator. The key County executives that worked closely with RC1 in 2022 through March 2024 have no recollection of RC1 specifically attributing racism to RC1 ongoing complaints of her staff not supporting or helping her and disrespecting her. During the Clerk's pre-March 2024 myriad of informal complaints, formal complaints, written memoranda and interviews concerning RC1 in particular, she never before March 21, 2024 had raised racism to HR as a contributing factor in RC1 motivation.[12] RC1 had left County employment in November 2022.[13]

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[11] In his interview with the Investigator, RC1 disavowed having a prior belief that he was the natural successor to Kevin Stock in the Clerk's Office or stating to others having such a belief; based on a review of the evidence as a whole, the Investigator finds this assertion to be dubious. The Investigator also does not credit RC1 statements that he did all he could to make RC1 new role comfortable and positive. RC1 description continuing to reframe his behaviors that are the subject of 2022 substantiated investigation findings and discipline are also not credited by the Investigator.

[12] In then-Senior Labor Relations Analyst Melissa Arnold's May 5, 2022 notes from an interview with RC1 the following is summarized regarding RC1 "Hasn't physically done anything. Concern is unpredictability. Concerned about his instability. Behavior has gotten worse since she arrived. Behavior already there as others had told her that. Started when he didn't get past phone interview for clerk position. Isolated for weeks, wouldn't talk to anyone, slamming doors. When she arrived, his reception was very unpleasant."

[13] On July 8, 2024, RC1 was rehired by the County as a staff member in the Prosecutor's Office. This rehire was officially announced within the Prosecutor's Office on August 1. Even before his rehire, RC1 would occasionally visit former coworkers in the Clerk's Office. According to RC1, when RC1 heard about/saw this, she called RC1 to inform that she was afraid of RC1. Once RC1 was rehired, RC1 confirmed that his badge would not access the relevant section of the parking garage. According to RC1 when he learned that RC1 was expressing fear after RC1's re-hire, he gave RC1 his parking slot in the garage for ease of entry/access, and RC1 was connected with the Sheriff's Office security for escorts to her car. In July 2024, RC1 presented a new visitor's policy to her staff. Notably, on 08/29/24 during the emotionally charged Teams meeting with Arnold and RC1), the

RC1 told the Investigator that RC1 frequently raised racism *as a question* when she expressed her upset and frustration with her staff not supporting her efforts or disrespecting her; RC1 wondered aloud if racism could be the reason. RC1 explained that these types of conversations occurred with some frequency, and they all "melt together" in his mind. Per RC1 such a questioning "…was probably prompted as it often was by a specific instance of what she deemed lack of support or insubordination or inappropriate behavior associated with a meeting, a discussion, any issue." Per RC1 when he asked RC1 for specifics, "she said, there's nothing anyone has said or done that's clearly racist on its surface. It's just an accumulation of responses, actions that collectively indicate there must be a common attribute for all of this."

Regarding RC1 in particular, RC1 recalled at some point RC1 recounted that RC1 had said that he thought he was not going to like her "because you were black," but RC1 also stated that he changed his mind. RC1 stated he did not recall when RC1 told him about that statement, but it "was probably in the first year." This type of statement is denied by RC1. Per RC1 he recalled more than once reminding RC1 that it was her right to bring a complaint to HR; RC1 typically responded with words to the effect that she wanted to focus on doing her job and not rely on her race or raise a complaint. RC1 took no notes of his years of conversations with RC1. The Investigator observes that RC1 recollection of certain details in his interview are vague or are contradicted by specific records; the Investigator attributes this to memory rather than credibility (i.e., what RC1 discussed in his *Loudermill* hearing, reasons for RC1 discipline, or whether RC1 served his suspension before resigning).

(v) **RC1 telling Complainant that a particular staff member did not want to help her because she is black and minimizing described staff behaviors.**

In particular, RC1 described to the Investigator that after her RC1 resigned in late spring 2023, he refused to help her when RC1 and other staff were sorting out financial anomalies regarding account reconciliation during the 2023 audit and while addressing routine operations. This scenario has been confirmed by other witnesses. After leaving the Clerk's Office, RC1 began working for the District Court and then moved to Superior Court -- supervised by the Court Administrator.[14] By report, written protocols were not left by RC1 for

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RC1 loudly expressed to the HR representatives her anxiety related to "somebody" coming into the Clerk's Office, and she has stated that she has County Security staff walk her to her car at the end of her workday. RC1 RC1 described being "scared." On 08/29/24, RC1 also stated: I have to deal with somebody I am afraid of coming down in this office to intimidate me every chance he gets. And you know what? Also, staff that's here that allows him to come down here. I have a panic button in my office because I'm scared." In his interview with the Investigator, RC1 described his current dealings with the Clerk's Office: "I do have occasional workings with them as our office does filings and we have to request copies of prior records and things like that. So generally, right now a lot of my interactions can be done remotely. I don't have to go into the office for a whole lot, but occasionally I will need to go down to get subpoenas issued and pick up hard copies of documents that were not electronically processed." RC1 told the Investigator that he continues to routinely socialize with two Clerk's Office supervisors outside of work, and they have visited together at the Clerk's Office.

[14] RC1 current supervisor, the Court Administrator, is the husband to RC1 former Chief Deputy Clerk who resigned in 2023.

others to use. Per RC1, RC1 told her that "he's not going to help you because you're black." RC1 denied to the Investigator making a statement to RC1 that RC1 or any employee did not want to work with her because she is black. RC1 explained to the Investigator that she never met with RC1 or a partially cross-trained employee, RC1 regarding this topic. RC1 also denied speaking with RC1's supervisors on this topic.

RC1 told the Investigator that the color of RC1 skin was not raised in any fashion by RC1 in this scenario. With regard to sorting out the Clerk's Office' financial issues in 2023, according to RC1 and RC1 spoke with RC1 District Court supervisor to get some help, and the response from RC1 was "no." When RC1 moved to Superior Court, RC1 made another request for help – through the Court Administrator -- and the response was the same. Another staff member, RC1 who had some limited finance cross training, and had temporarily been performing specific duties while getting paid "out of class," eventually refused to help; RC1 was involved in meetings to address these issues. Race was not raised by RC1 in recorded notes from an August 15, 2023 meeting with several members of HR.

RC1 told the Investigator that at that time, he was not in a position to intervene given that RC1 no longer worked for the Clerk's Office. RC1 told the Investigator that race was not an issue in his interactions with RC1, but he felt like she created a hostile work environment for him and his colleagues; he affirmatively asserted that he left a red binder of all needed financial protocols in his office when he left the Clerk's Office and laterally transferred to the District Court. RC1 denied collaborating with any person to make RC1 life more difficult or telling RC1 that the office would fail without him; he emphatically explained to the Investigator that he refused to further assist RC1 because of the way he had been treated during his employment as her subordinate.[15]

Since 2022, RC1 had been routinely involved in speaking to RC1 about the scope of work at the Clerk's Office, operational and personnel conflicts, and the various HR investigations or inquiries that RC1 was involved in either as a complainant or participant. Archer had no recollection of hearing from RC1 any pre-March 21, 2024, statement that RC1 staff failed to help her or otherwise intentionally made her director job at the Clerk's Office more difficult *due to her race.* RC1 told the Investigator that over time RC1 would question motives and say she was raised not to attribute race as a motive for poor behavior.

RC1 explained to the Investigator that she spoke with RC1 about her concerns after she heard about them in late March 2024. Archer has tried to share her own experiences with RC1 as to not having organized office space or furniture when she arrived at her County employment and not feeling welcomed by her own staff. RC1 also spoke with RC1 about ways that she could try to work with her staff in a more collegial manner and try not to take disagreement personally (i.e., there are many reasons why employees misbehave). Over time, there had been many conversations surrounding Pierce County administrative guidelines and procedures for career service employees and the need to follow the bargaining agreements for union employees. These layers of procedure for

[15] The Investigator notes that RC1 stated he gave RC1 a positive reference when the County recently was seeking input. RC1 remains "friends" with Kevin Stock and keeps in touch with other former co-workers. RC1 provided an "anonymous" complaint memo to the Finance Department in October 2022 that was shared with the Executive's Office at the time; he also met with RC1.

managing employees and imposing discipline were at variance with RC1 prior work experience in Texas. Per RC1 and an independent review of specific meeting notes, these discussions tended to raise frustration for RC1.

(vi) Department staff not supporting or helping Complainant (particular staff resigned).

RC1 repeated to the Investigator her perspective that has been repeatedly shared with others regarding the lack of support and help from her staff. As referenced above, many staff left the Clerk's Office over the course of late 2022 and 2023. As a former Supervisor, RC1 described to the Investigator that he never heard anyone raise the subject of RC1 race in any fashion, and he never heard anyone describe RC1 's race or color as connected to any reason for resigning from the Clerk's Office and obtaining other employment either within or outside of County employment; he also denied hearing anyone use disparaging or denigrating comments or state jokes regarding RC1 as connected to her race or color. The former manager of the Criminal Diversion Program – who was also the interim Clerk during the 2021 selection process – denied to the Investigator ever hearing any Clerk's Office staff address RC1 race or color through the use of vulgarity, profanity or jokes. A witness who found other employment told the Investigator that at one point she became fatigued regarding employees complaining of RC1 "treatment" so she told them they should leave and find other employment. Many written complaints/memoranda about RC1 management/communication style describe reasons unconnected to race or color as the rationale for choosing to resign from the Clerk's Office. CH and the former Criminal Diversion manager specifically denied to the Investigator trying to make RC1 life difficult or encouraging others to be difficult or make RC1 role more difficult.

As described above, neither the former RC1 nor the former RC1 recall RC1 raising racism by her staff until March 21, 2024; RC1 was the specific staff member that RC1 identified.

(vii) Department staff not appropriately greeting Complainant in the mornings (eye rolls/ignore).

RC1 reiterated to the Investigator her previously raised concern that her staff did not return her morning greetings, and some rolled their eyes during morning greetings; RC1 has articulated a belief that such rude behavior has been orchestrated. RC1 told the Investigator that she worked with RC1 "about strategies for improving" that scenario, and also emphasized "that the majority were not behaving in that way." RC1 did not provide specific names to RC1 or the Investigator. The Investigator has not located evidence to corroborate this allegation by the weight of the evidence that many staff have generally failed to return RC1 morning greeting and some in fact rolled their eyes at her. Neither RC1 nor the former manager of the Diversion Program endorse this description. A current administrative staff member informed HR during a June 2024 investigation that two current staff members do not return RC1 greetings, and these same staff are mean to RC1 ; one staff member denied this description when interviewed by HR. As time moved forward in RC1 tenure, the weight of the evidence supports a conclusion that there likely arose non-discriminatory reasons for various now former staff to not feel inclined to robustly greet RC1

(viii) Department staff being disrespectful of Complainant (HR investigations).

RC1 repeated to the Investigator her perspective that at least two staff members were explicitly rude to her during two separate all staff meetings; the implication is that such was orchestrated amongst the group against RC1. HR contemporaneously followed up to investigate two specific complaints by RC1 regarding allegedly disrespectful staff behavior in staff meetings. Based on the evidence supplied by other witnesses with knowledge, these allegations, (i) encroaching on RC1 personal space in an intimidating fashion (April 2022) and (ii) raising voice and turning back on RC1 (June 2024) were not substantiated.[16] The spring 2022 door slamming, and office intimidating behavior allegations were substantiated RC1. According to RC1 and the documents reviewed by the Investigator, race as a motivating factor was not specifically raised by RC1 during either of these investigations; disrespect, harassment and hostility by her staff as a general concept has been raised by RC1 during the last several years.[17]

(ix) A Department Director asking Complainant her perspective of the black community's potential reaction to a jury verdict in a high-profile trial.

RC1 explained to the Investigator her affront to another Director asking her perspective about what the "black community's" reaction may be in the aftermath of a high-profile use of force verdict (12/2023). RC1 explained to the Investigator that she found this inquiry to be offensive. The Investigator gleaned that RC1 does not see herself as the emissary of the black community, and RC1 pointed out at the time that whatever the verdict outcome, it would impact more than just the black community. This inquiry may have offended RC1, but there were no slurs or denigrating comments made to RC1 -- or demeaning statements of any kind -- due to her color or race. RC1 was one of many recipients of the 2024 Executive's Award for her participation in a large team tasked with making the trial process transparent and accessible. Arguably, the Director in question may have made a clumsy inquiry while valuing a colleague's perspective, however such by

[16] In June 2024, after the staff meeting in question, RC1 told Vicki Moll that "I'm afraid of the continued disrespect. There is a group of people here. I try to not invest in, it's hard to navigate. I've tried not to allow them to pull me down in, or into new staff. When new staff are saying to me "why are they so mean to you?" This isn't isolated. People have been here a long time, have an established status, and new employees don't want to go against that. I don't…." Later, RC1 received a copy of the August 15, 2024 investigation closure letter (allegations unsubstantiated).

[17] For example, after the August 2024 demand to bargain meeting that led to RC1 August 30, 2024 email to HR and the Executive team, RC1 told Melissa Arnold that she was tired of all the harassment and mean people and provided the following example of something that upset her: "I go and spend my own money to make this a nice space [break room] for these same people who are so mean to me, won't even say good morning, but I'm treating them differently?! I don't understand that. I buy a 55 inch TV and they say 'it should've been a 70, why wasn't it that?' I can't win. I can't win!" RC1 has repeatedly raised with RC1 and RC1 her upset about certain current staff members and specific former staff members, RC1 and RC1 not cooperating with her and disrespecting her; such was also specifically raised in an August 15, 2023 lengthy, emotionally charged meeting with RC1, a newly hired Fiscal Manager, and several HR employees, to include RC1 then Asst. Dir. HR, Lisa Hilligoss, and then- RC1 ("Disrespected, talked about to my face, and it doesn't get any better for me.")

itself does raise a patently offensive issue to support harassment or a hostile work environment for RC1.

(x) RC1 and RC1 suggesting to Complainant that she discuss her concerns with a newly hired deputy prosecutor who is a person of color.

RC1 told the Investigator that after a new deputy prosecutor was hired in summer 2024, RC1 was encouraged first by RC1 and later by RC1 to speak with the attorney in part because the new prosecutor was a person of color. RC1 agrees that she encouraged RC1 to speak with this newly hired prosecutor as an outsider with a fresh perspective, an accomplished attorney from a respected law firm, and perhaps as a person of color there may be some helpful frame of reference for RC1 various concerns. Per RC1, RC1 had more than once referenced that the people she worked with do not "look like me." RC1 denied to the Investigator having a recollection of making a similar recommendation to RC1. However, he took no issue with the suggestion. This particular suggestion was offered as a resource to RC1 and not to create a harassing work environment or to otherwise offend RC1. The suggestion was offered amongst the array of earlier efforts by RC1 and others to respond to RC1 concerns and emotional upset, to include EAP services, in the context of RC1 repeatedly stating that she did not trust the prosecutor's office and she did not want to participate in a formal HR workplace investigation.

B. Conclusion

In December 2021, Complainant was hired as the appointed RC1, and she remains in that executive role today. When the new Pierce County Executive was elected into office in fall 2024, RC1 was re-appointed to her position. RC1 has not received any discipline or adverse employment action. Instead, the executive office has supported RC1 and given her the benefit of the doubt that past Clerk's Office staff complaints (formal or otherwise) largely resulted from (i) RC1 being a "change agent" for important operational process change and (ii) the staff being change averse. The former County Clerk had been with the County for almost two decades and the staff were accustomed to carrying out their responsibilities in a manner consistent with their prior boss' expectations. In many of the voluminous documents reviewed by the Investigator, some Clerk's Office staff have described feeling some surprise and some angst regarding the County's decision to appoint "an outsider."

During her term of employment, RC1 has been charged with implementing improvements to the Clerk's Office; she inherited many significant problems to include issues with financial oversight, account reconciliation, records management and retention practices, a need to convert from paper to electronic records, lack of cross-training, outdated software, and facilities issues such as rodents nesting amongst paper records, and a need to change out/update an employee break room. RC1 also implemented security improvements such as installing a "panic button" in her own office[18] and another staff's office, updating Lenel badging office access protocols, updating front counter protocols, implementing a new visitor's policy. RC1 also terminated a decades-long

[18] RC1 previously informed HR that she had the panic button installed in her own office in response to RC1 Spring 2022 encroaching and intimidating behaviors that resulted in his letter of suspension.

arrangement with a Title Company that had been working out of the Clerk's Office; this disrupted the employees' property title and public document request protocols.

Some notable staff attrition has contributed to workplace stress and loss of institutional knowledge. By fall 2023, the Clerk's Legal Processing Supervisor, Fiscal Manager, Deputy Clerk, Criminal Diversion Manager and many others had resigned; others had retired or were involuntarily let go. There were also employees that appear to have intentionally refused to extend themselves to be helpful during significant times of transition. In response to the angst described by RC1 during the first 20-months of her employment, in fall 2023 the County hired an Executive Coach to work with RC1 to help support and professionally problem solve effective leadership dealing with difficult staff in the face of the challenging issues described in part herein. Per RC1 the County has also suggested outreach to EAP services, and provided to the Clerk's Office staff additional DEI training, change management training, and managers' teambuilding training. In support of RC1 the County did not launch formal HR investigations when staff raised concerns regarding RC1 style of leadership or communications with staff. RC1 supervisor regularly met with RC1 to problem solve and support her in her role, and after March 2024, the HR Director routinely joined these meetings to try to provide support to RC1 . By many accounts, RC1 has been very emotional when recounting her frustrations with these many staff and operational challenges, and when describing her perspective that her work environment is harassing and hostile.

However, with one exception, neither RC1 nor any other witness interviewed in this Investigation recalled hearing any person ever verbally disparage RC1 due to her race or color, or use denigrating terms, slurs or jokes to or about RC1 due to her race or color. The anonymous written complaints provided to the Executive Office contained no race-based denigrating description. One witness recounted hearing two unnamed coworkers state that RC1 must have been hired because she is black (sometime after the first 2022 RC1 personnel investigation). The County policy provides the following examples of impermissible workplace harassment:

> Such impermissible conduct could include, but is not limited to, sexual, racial or ethnic jokes, mocking an accent or manner of speech, denigrating an individual because of membership in or affiliation with a protected class, displaying cartoons or literature embracing racially, sexually, or ethnically offensive clichés, or outright threat that a job or a job benefit would be denied because of membership in or affiliation with a protected class.

3.16.030.

The weight of the evidence evaluated in this investigation fails to support a finding that race or skin color was a motivating factor in the specific workplace disputes with RC1 subordinates, or others, described in summary fashion here. Similarly, "mobbing" is not supported by the evidence reviewed here.

Please advise should you need further investigation, clarification or elaboration.

2025 Misconduct Investigation

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Investigation Report
March 25, 2025

Complainants:	Melissa Engler, Legal Processing Supervisor Tyler Wherry, Legal Processing Supervisor
Subject of Complaint:	Constance White, Clerk of the Superior Court
Human Resources Investigator:	Vicki Moll, Labor Relations Analyst (report author)

Complaints

On February 26, 2025, Constance White ("White") sent an email to five supervisors within the Clerk's Office: Melissa Engler ("Engler"), Tyler Wherry ("Wherry"), Whitney Long ("Long"), Ayana Watson, and Andrew Sawtell. The email was sent with "High Importance," and White copied three members of her leadership team on the email – Deputy Clerk Tonya Moore ("Moore"), Fiscal Services Manager Shaneeka Tulloch, and Justice Services Administrator Nicole Carbone ("Carbone"). The email read:

> *Good morning, Team,*
>
> *I would like to inform everyone that we will be attending a construction update meeting on March 7. As we prepare for this transition, it is crucial that we maintain a clear and organized process.*
>
> *Please advise your staff not to relocate from their current spaces until they receive specific instructions from a member of the Leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves.*
>
> *Your cooperation in communicating this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction.*
>
> *If you have any questions, please let me know.*
>
> *Constance*

On March 3, 2025, Janelle Oleson ("Oleson"), Legal Assistant 3 ("LA3"), came into the Clerk's Office around 7:00 a.m. She was cleaning up a workspace vacated by Becky Ahquin ("Ahquin"), LA3, following Ahquin's retirement from the Friday before, February 28, 2025. (Approximately one

year ago, Oleson had moved to sit next to Ahquin in order to take over Ahquin's responsibilities upon her retirement.) Oleson had the approval of her supervisor, Engler, to move into Ahquin's vacated workspace. Sometime prior to 7:30 a.m., Moore approached Oleson, and asked her, "What are you doing?" Oleson characterized Moore's question as accusatory – not inquisitive. Moore explained to Oleson that the supervisors had received an email the week before and were instructed not to have anyone move desks. Moore stated the supervisors were not doing their job by not communicating the message to employees. Oleson wrote in contemporaneous notes (see attachment) that Moore's demeanor was angry and combative. Oleson stated she felt "defeated," and said to Moore, "Why do you guys hate me?" Moore asked Oleson for clarification and told Oleson, "No one hates you! Why would you say that?"

After Moore talked with Oleson, she went into Engler's office. Wherry and Long were also present for a morning check in. Engler reported in her contemporaneous notes (see attachment) that Moore was aggressive. Wherry reported in his contemporaneous notes (see attachment) that Moore was angry and aggressive. When interviewed, Long reported Moore as "worked up" or "amped up." Moore proceeded to tell the three supervisors that White had communicated to them that no one was to move desks. When interviewed, all three supervisors stated they didn't interpret White's email to include a desk vacated when someone left. All three indicated they did not relay the contents of the email to their team. All three reported Moore did most of the talking in the brief exchange.

A short time later, Moore returned to Engler's office with White. All three supervisors were still in Engler's office and reported that the door to Engler's office was slammed or closed loudly by either Moore or White. Each supervisor reported that White was yelling or screaming and crying. White questioned the supervisors about Oleson's statement (which was conveyed to her by Moore) and told the three supervisors that Oleson was now the second person to make a statement about White not liking or hating her or "them".[1]

White did not question the supervisors about their understanding of the February 26, 2025, email. Her exchange with them focused on Oleson's statement. At some point, White conveyed to the supervisors that, "*I'm not doing this today. I'm going home*." The supervisors reported the interaction was brief – only a minute or two long. White did not end up leaving work.

Following the exchange with White, Supervisors Engler and Wherry contacted Human Resources ("HR") to report White's behavior. Both provided their written statements to HR the following day. Oleson provided her own unprompted, written statement following her interview.

White also contacted HR on March 3, 2025, and asked for a meeting. That meeting took place the following day on March 4, 2025, with Moore and Labor Relations Analysts Tara Hallam and Vicki Moll. White stated, "*The reason I'm asking for the meeting is because this to me seems just another reason of undermining what we are trying to do here in this office."*

On March 4, 2025, following the meeting with Moore and White, Moore sent an email to HR with the subject line of "Continued Concerns." She reported hearing that Oleson "*has been telling people in the office that I berated her*." She also stated, "*Now, hearing that she has told others I*

[1] Melissa Buckman (formerly Jaso) being the other employee to make a similar statement.

berated her is causing me significant distress and leaving me feeling psychologically unsafe at work. The implications of her words are not just hurtful but also have a broader impact on the team dynamics and trust within the office." Moore was scheduled off work for the next couple of days; she met with HR on March 12, 2025. Moore was interviewed from the perspective of concerns she raised in the email and not as a subject of the investigation.

Investigation

Interviewees:

Constance White, Clerk of the Superior Court
Danielle Frazier, Legal Assistant 2
Joey Sonntag, Legal Assistant 3
Melissa Engler, Legal Processing Supervisor
Nicole Carbone, Justices Services Administrator
Tonya Moore, Chief Deputy Clerk
Tyler Wherry, Legal Processing Supervisor
Whitney Long, Legal Processing Supervisor

The three supervisors and Oleson all reported White's behavior as angry, emotional, and crying. White, too, stated she was emotional and crying and stated Oleson's comment was hurtful to her. All three supervisors were left confused by the outburst stating the matter could have been resolved simply as a misunderstanding. After Moore left Engler's office the first time, Engler approached Oleson and told her she would not be able to move at this time. All three supervisors stated the matter should not have risen to yelling, screaming, and crying.

When interviewed, the supervisors were asked if they had ever seen White behave in a similar manner. All three relayed the incident of February 19, 2025, in which White brought a binder into a team meeting and explained it was inappropriate for employees to be keeping binders with mail from inmates and copies of legal documents.[2] She told the supervisors that two binders were found in 2024, and she understood there were no other binders. The supervisors described her behavior as emotional, with a raised voice, crying, and accusatory towards the supervisors. At the meeting, White talked about finding a letter in the binder from an inmate written to his mother and stated she would do everything in her power to reunite the letter to the intended recipient.[3]

The supervisors also brought up a recent recruitment in which three LA3s were hired. The supervisors indicated they had been removed from the process contrary to prior recruitments. Moore also brought up the recent recruitments and stated that White removed the supervisors from the process because it had been conveyed to White that a supervisor had told one or more employees they would receive the promotion. When interviewed, White substantiated what Moore reported; however, she stated she did not remember who told her. She was also asked if an investigation had been conducted to determine if the report was accurate. She indicated no investigation had taken place, but it was her intent to do so in the future. The three supervisors intimated that the recruitment resulted in the selection of two employees who have a personal

[2] Two binders were found in 2024 that contained copies of legal documents. A review of the contents revealed no confidential documents. Employees put items they found humorous or interesting in the binders.
[3] When interviewed, White stated she had not taken any steps to find the mother.

relationship with White. One employee who was promoted is her house sitter, and one employee who was promoted receives occasional gifts from White, such as clothes White no longer wants or food items. No personal connection to White was offered for the third employee who was promoted. The supervisors voiced their opinion there were more qualified candidates then the two promoted employees with a personal connection to White.

A complaint has since been made to the Personnel Board regarding this recruitment.

Summary

On March 3, 2025, two supervisors in the Clerk's Office brought concerns about White's behavior to HR. They conveyed that White conducted herself in an intimidating and inappropriate manner. The report that White was visibly emotional was confirmed – even by White. The March 3, 2025, event centered on White's questioning the three supervisors and Oleson about Oleson's statement – even though Oleson only reports to Engler. White questioned the supervisors to get clarification about Oleson's and another employee's statements – something that none of them could provide. The concerns raised by the two supervisors were substantiated in this instance. White raised her voice, and her line of questioning to the three supervisors remains confusing.

It was further established that White has engaged in similar behavior in another instance. The February 19, 2025, meeting was another occurrence in which White was visibly emotional. She questioned the supervisors in a public forum about behavior employees were engaging in that was outside of normal work in the Clerk's Office. The supervisors relayed their perspective that White lectured them "to be better."

Further, it is concerning to HR that White removed the three supervisors from the last recruitment process based on hearsay. If it is true that a supervisor relayed to employee(s) they would receive a promotion prior to the conclusion of the process, that supervisor has betrayed their leadership role and should be held accountable. It is also a concern that the perception is the promotions went to three employees hired by White, two of which have a personal relationship with her. A common theme in the interviews was that employees hired by White are treated differently than employees she "inherited." When asked to clarify these statements, interviewees relied on the turnover rate – which is substantial – to support their position.

In all three instances above, White has treated the three supervisors as one entity: the February 19, 2025, meeting regarding the binder; the decision to remove the supervisors from the recruitment process; and the March 3, 2025, event where she conveyed to four employees, "the supervisors are not doing their job." It remains unclear as to why White continues to express her disappointment with the supervisors collectively instead of individually.

Several of the interviewees indicated concern about retaliation stating they have seen how other employees have been treated. When asked to clarify this, the names of former employees were provided, many having a leadership role within the Clerk's Office, who left allegedly under duress – even to the point of physical ailments. One interviewee with this investigation relayed the event has RC1 [redacted].

Also of note, White made statements on March 3 and 4, 2025, to employees and HR that this event was another example of employees undermining the steps she has taken to change the culture in the Clerk's office ("*The reason I'm asking for the meeting is because this to me seems just another reason of undermining what we are trying to do here in this office.")*; however, the behavior she openly exhibited on March 3, 2025, is counterproductive to changing the culture in a workgroup. Her behavior, which rose to the level of disrespectful and inappropriate, was experienced by Oleson and the three supervisors and witnessed by other employees arriving for work at 7:30 a.m. – some of whom overheard White "yelling at the supervisors." Following this event, Oleson and the supervisors were approached by several Clerk's Office employees asking them if they were okay. It appears this event has been much discussed amongst Clerk's Office employees.

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Investigation Report
April 16, 2025

Date of Incident:	March 3, 2025
Subject:	Constance White, Superior Court Clerk
Complainants:	Melissa Engler, Legal Processing Supervisor - Clerks Office Tyler Wherry, Legal Processing Supervisor - Clerks Office
Witnesses:	Janelle Oleson, Legal Assistant 3 Joey Sonntag, Legal Assistant 3 Nicole Carbone, Justice Services Administrator Tonya Moore, Chief Deputy Clerk Whitney Long, Legal Processing Supervisor - Clerk's Office
Investigators:	Melissa Arnold, Assistant Director of Human Resources Vicki Moll, Labor Relations Analyst 2

This report summarizes an investigation into the conduct of Superior Court Clerk Constance White ("White") following a workplace incident on the morning of March 3, 2025. The incident involved a series of interactions between White, supervisory staff, and Legal Assistant 3 Janelle Oleson ("Oleson") and are broken down into five sections below:

1. Interaction between Moore and Oleson.
2. Interaction between Moore and supervisory staff in Engler's office.
3. Interaction between White and supervisory staff in Engler's office.
4. Interaction between Oleson and White at Oleson's desk and Moore's office.
5. Interaction between Oleson and White in White's office.

A summary of witness accounts is provided at the end of the report for ease of reading.

The investigation was initiated following complaints by multiple employees who reported disruptive and inappropriate conduct by White.

The following individuals were interviewed as part of this investigation on the days and times noted, and those who also provided a written statement are indicated with an asterisk:

- Constance White – March 4, 12, 13, and April 4[1]
- Janelle Oleson* – March 11
- Joey Sonntag – March 11

[1] The initial meeting with Moore and White on March 4, 2025, was not a formal investigatory interview, it was a joint meeting with Moore and White at White's request.

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- Melissa Engler* – March 6
- Nicole Carbone – March 12
- Tonya Moore – March 4, 12, and April 8
- Tyler Wherry* – March 6
- Whitney Long – March 11

Prior to asking questions during the investigation, each individual was advised that they were expected to be truthful, cooperative, and to fully answer the questions asked during the interview, and that being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action up to and including discharge. Each individual was also advised that retaliation or interference in any manner with the interviews or the testimony of other witnesses or subjects could also lead to disciplinary action up to and including discharge.

Summary of Events

On February 26, 2025, White sent an email to five supervisors within White's Office: Melissa Engler ("Engler"), Tyler Wherry ("Wherry"), Whitney Long ("Long"), Ayana Watson, and Andrew Sawtell. The email was sent with "High Importance," and White copied three members of her leadership team on the email – Deputy Clerk Tonya Moore ("Moore"), Fiscal Services Manager Shaneeka Tulloch, and Justice Services Administrator Nicole Carbone ("Carbone"). The email read as follows:

> Good morning, Team,
>
> I would like to inform everyone that we will be attending a construction update meeting on March 7. As we prepare for this transition, it is crucial that we maintain a clear and organized process.
>
> Please advise your staff not to relocate from their current spaces until they receive specific instructions from a member of the Leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves.
>
> Your cooperation in communicating this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction.
>
> If you have any questions, please let me know.
>
> Constance

Interaction between Moore and Oleson.

On March 3, 2025, Oleson was cleaning up a workspace vacated by Becky Ahquin ("Ahquin"), following Ahquin's retirement the Friday before, February 28, 2025. (Approximately one year ago, Oleson had moved to sit next to Ahquin in order to take over Ahquin's responsibilities upon her retirement.) Oleson had the approval of her supervisor, Engler, to move into Ahquin's vacated workspace. Sometime prior to 7:30 a.m., Moore approached Oleson, and asked her, "What are you

doing?" Oleson characterized Moore's question as accusatory – not inquisitive. Moore explained to Oleson that the supervisors had received an email the week before and were instructed not to have anyone move desks. Moore stated the supervisors were not doing their job by not communicating the message to employees. Oleson wrote in contemporaneous notes that Moore's demeanor was angry and combative. Oleson stated she felt "defeated," and said to Moore, "Why do you guys hate me?" Moore asked Oleson for clarification and told Oleson, "No one hates you! Why would you say that?"

Moore generally confirmed Oleson's description of events but made no mention of her using an accusatory tone or being angry and combative. Moore also reported that Oleson was crying when she made the comment about being hated. Moore reported that at some point during the investigation it was brought to her attention that it had been communicated to staff that she had "berated" Oleson which Moore denied. Moore said that she was "simply asking her questions about moving the desk" and that it was simply a conversation.

Interaction between Moore and supervisory staff in Engler's office.
After Moore talked with Oleson, she went into Engler's office. Wherry and Long were also present for a morning check in. Moore proceeded to tell the three supervisors that White had communicated to them that no one was to move desks, but the three supervisors did not initially recall such an email. When interviewed, all three supervisors stated they didn't interpret White's email to include a desk vacated when someone left. All three indicated they did not relay the contents of the email to their team.

Engler reported in her contemporaneous notes that Moore "aggressively asked why [Oleson] was moving desks. Similarly, Wherry also reported in his contemporaneous notes that Moore spoke in an "angry and aggressive tone," and reiterated this sentiment when interviewed. Wherry also said that he felt Moore was initially at fault for the series of events because of the way she approached the three supervisors in Engler's office instead of having a simple conversation. When interviewed, Long reported Moore was "worked up" or "amped up." All three supervisors reported Moore did most of the talking in the brief exchange.

Moore said that she went to Engler's office after speaking with Oleson and "peeked up [her] head" and asked if they had notified their staff about not moving desks in accordance with White's email. Moore also alleged that the Clerk's Office is "very toxic" and those who have been there a long time have a "tendency to try and push people out, and they have a tendency to be retaliatory and to be bullies." Moore specifically named Ahquin (retired), Melissa Bucknam (formerly Jaso), Engler, Wherry, and Oleson. Moore further stated that she feels "targeted" by certain employees because they do not speak to her, give her dirty looks, and roll their eyes.

Interaction between White and supervisory staff in Engler's office.
A short time later, Moore returned to Engler's office with White after relaying Oleson's comment to her. All three supervisors were still in Engler's office and reported that the door to Engler's office was slammed or closed loudly although it is unclear by whom as accounts differ. The supervisors reported that the following interaction was brief – only a minute or two long.

Engler reported in her contemporaneous notes that White "aggressively" stated that "Janelle and Melissa Buckman hate her and hate is a strong word. She doesn't hate anyone." Engler documented that White was crying and "storm[ed] off" after stating she was going to leave for the day. When interviewed, Engler described White as "very emotional, very aggressive," and that there were "tears in her eyes."

Similar to Engler, Wherry documented in his contemporaneous notes that White "storm[ed] into" Engler's office and then began to "yell" at the three supervisors. He documented that White was "so angry during this conversation that she was visibly crying" and that she "then yelled, 'I don't need to deal with this. I'm leaving for the day!'" before "storm[ing] out of [Engler's] office." When interviewed, Wherry said that, "[White] took it to another level" and was "yelling, like, literally screaming at us." Wherry also expressed frustration and confusion at this incident because White was not upset or yelling about Oleson moving desks, but rather the statement Oleson made to Moore. Wherry further said that the interaction was "a safety concern" and characterized it as "abuse" when he made the following statement:

> I'm sitting here, I'm eating my oatmeal trying to figure out what the week looks like so, and to be so aggressive and so just so like over the top about it to the point where employees in the office can hear individual words that you're saying in an office with a closed door. Like, that's a that's a safety concern. That's emotional and that's abuse like and at what point do we go, *Oh, OK*. Well, we're not going to do anything this time. I mean what? What? How does what is? Where is the escalation? You know, I mean, I like at what point does it have to escalate? Does somebody have to be physically assaulted? Like that's feel that feels like where we have to go like that that for me to actually like, get like, *Oh yeah, now I feel scared.* I mean that's unreal. Like I'm trapped in an office with these two people yelling at me about an e-mail that I have nothing to do with, and I don't even remember with, about people who hate you. That also has nothing to do with me like. That's why. How do I do I have to come to work and do that?

Long reported that White was "bothered," "aggressive," and "yelling and crying." She further said that both Moore and White were "amped up for something so small."

When interviewed, the three supervisors were asked if they had ever seen White behave in a similar manner. All three relayed the incident of February 19, 2025, in which White brought a binder into a team meeting and explained it was inappropriate for employees to be keeping binders with mail from inmates and copies of legal documents.[2] She told the supervisors that two binders were found in 2024, and she understood there were no other binders. The supervisors described her behavior as emotional, with a raised voice, crying, and accusatory towards the supervisors.[3] At the meeting, White talked about finding a letter in the binder from an inmate written to his mother and stated she would do everything in her power to reunite the letter to the intended recipient.[4]

[2] Two binders were found in 2024 that contained copies of legal documents. A review of the contents revealed no confidential documents. Employees put items they found humorous or interesting in the binders.
[3] White confirmed she may have been emotional at this meeting as she felt passionately that the behavior was unacceptable.
[4] When interviewed, White stated she had not taken any steps to find the mother.

Legal Assistant 3 Joey Sonntag ("Sonntag") was identified as a witness in the investigation.[5] Sonntag reported that they heard Engler's door close "pretty loudly" but was unsure who closed the door. Sonntag overheard White talking "very very loudly" in Engler's office and that they felt "uncomfortable" and "shook up" because it "didn't seem appropriate for in like the middle of the office to do something like that." They described White as "play[ing] the victim role" when she left Engler's office in tears. Sonntag further described the brief interaction as not professional or respectful and was disappointed when White walked past their desk after the interaction without acknowledging what occurred. Sonntag also expressed fear of being retaliated against by White for participating in the investigation.

White questioned the supervisors about Oleson's statement and told the three supervisors that Oleson was now the second person to make a statement about White not liking or hating her or "them."[6] Moore described White as being "visibly upset," "tearing up," and "emotional." When asked about White's tone of voice, Moore said she was "firm," and when specifically asked if White was yelling, Moore said, "no, there was a change in tone but not yelling." She added that "it wasn't yelling or screaming, it was firm." When asked if Moore thought the interaction between White and the supervisors was appropriate, she said, "yes, I think so" and that she thought White "handled it the best she could considering everything she has been through."

White reported that when she entered Engler's office she said, "hey, you guys got to tell me what's going on?" and that "it's very hurtful to hear that an employee thinks that that I hate them…and this isn't the first time that someone has said this. White said she told the three supervisors that she didn't know "where all of this is coming from" and that it is "very hurtful," and that she "just need[s] [their] help in trying to figure all of this out." When asked to describe her tone of voice when in Engler's office, White demonstrated a calm voice when interviewed. When told it was reported that she had been screaming, White said, "I wasn't screaming." When asked why employees would report that her voice was raised loudly enough for others outside of Engler's office to hear, White said, "I don't know. I have no idea. I don't know what to tell you." White again denied screaming and said she "was not loud." White then stated that "yelling is subjective" and admitted to being "emotional" and crying.

White was then asked if she would characterize the events in Engler's office as professional behavior to which she responded, "I would characterize me going in and asking Melissa that question as professional, I needed an answer. I wanted an answer." White then elaborated that HR had instructed her to ask questions of her employees and was confused that once she did that, it was being investigated for alleged misconduct.

White was also asked if she believed her conduct adhered to the requirements of her class description such as being responsible for the direct supervision of personnel, including subordinate supervisors, and that she provide effective leadership to managers and staff. In response, White said the following, in part:

[5] Sonntag also shared that they felt White targeted other employees in the Clerk's Office starting with former Legal Processing Supervisor - Clerk's Office Chris Hutton. They said White treats people differently based on how long they have worked at the Clerk's Office and has recently promoted people in which she has a close relationship with.
[6] Melissa Buckman (formerly Jaso) being the other employee to make a similar statement.

> I think it is appropriate behavior from someone in my role that has gone through a lot of the things that I've gone through. Could I have done it differently? Could I have not been as emotional? Probably so. But in that moment, I was hurt and the words that were said about me were very harmful considering the mental anguish that I have gone through in the last three years here.

When asked if she believed her conduct adhered with requirement in her class description that she have skill in independent judgment and effective decision-making and problem-solving, White said, "yes." More specifically, White said, "I think as far as the effective problem solving, yes, because I was asking why do these people think that way? That's a problem. I don't know why they think that way." She gave a similar answer when elaborating on if she thought it was effective decision making.

When asked if she believed her conduct was representative of the requirement that she have the ability to create a cohesive environment of teamwork, inclusion, and respect, White said, "it was." White elaborated and said, "as far as being respectful, yes, I was crying, but I needed to know something and then when I when I found myself getting more emotional, I removed myself from that situation and came to my office and kind of got myself together, you know."

White was also asked if she created a culture in accordance with the County Diversity, Equity, and Inclusion Policy which states, "[a]ll Pierce County employees are responsible for creating a culture of dignity and respect." White laughed and said, "I do think that. Because I am respectful to all of my staff."

Interaction between Oleson and White at Oleson's desk and Moore's office.

Oleson then reported that Engler's office door then "flew open" and White and Moore "barrel[ed] over" to Oleson at her desk. White was reportedly crying and began "angrily speaking at [Oleson] in an elevated voice." White reportedly stated she felt "broken" and blamed supervisors for not communicating directives, which she said made her look like the "bad guy." Oleson, feeling bad that White was upset and crying, and in an effort to "defuse the situation," offered to give White a hug which she declined. Oleson then suggested moving the conversation to a private space as she was "embarrassed" that the interaction "was all out in the open for all to see." White "threw her hands up and said fine," and the three went into Moore's office.

While in Moore's office, Oleson felt that she was "under attack" and did not feel welcome or comforted due to the fact that all three remained standing just inside the door instead of sitting down to have a conversation. White said, "I am broken, you guys have broken me," and reiterated that she felt like the "bad guy" because supervisors were not doing their jobs. This interaction was brief and left Oleson feeling like she had done something "terrible" while also being confused because she did not believe her statement to Moore warranted such an escalated response. In her contemporaneous notes, Oleson said that "[t]he fact that [she] was not met with compassion and a safe space to talk was disheartening" and that "[i]t was the most unprofessional situation [she had] ever witnessed and felt very scared for [what] the aftermath would be against [her] after [that] morning."

The interaction ended with White saying that she "can't do this, I have to leave, I have to go home," before leaving Moore's office. After White left Moore's office, Oleson and Moore continued to

have a conversation which was characterized as "constructive" and "productive" by each respective party.

Oleson subsequently returned to her desk where Engler apologized to Oleson for being involved with the events that morning and that other people observed what occurred. Engler also said that she had unfortunately had similar experiences with White before and that Oleson did not deserve to be treated that way.

White said that she then went to talk to Oleson and told her that she "doesn't have anything against [her]" to which Oleson reportedly responded that "there just seems to be a disconnect between the leadership and us." White said "that" is what supervisors are for" and that they are supposed to relay information. White reported that Oleson then asked to move somewhere private, so they went to Moore's office. White said she declined Oleson's offer for a hug, confirmed that she was still crying, and that she reiterated to Oleson that she did not hate her but that she did not want to talk about it any further at that moment. White said she left Moore's office and returned to her own office. When asked why she thought Oleson wanted to move to a private location, White initially said she did not know but then said it was "probably because [she] was crying."

Interaction between Oleson and White in White's office.

At approximately 8:15 a.m., Oleson saw White walk through the office. Realizing that White had not in fact left for the day, Oleson sent her a Teams chat asking to speak with her and White agreed. Oleson entered White's office and found Carbone present as well. Assuming Carbone and White had just had a meeting and that Carbone would be leaving, it "blew [Oleson's] mind" when White told her that Carbone would be staying because she did not feel comfortable talking to Oleson alone. Surprised and confused about this response and what Oleson "said or did to elicit this type of reaction or behavior from [White]," Oleson said that she wanted to make it clear to White that she did not hate her and that she did not know why White felt that way but apologized repeatedly, nonetheless. The remainder of the conversation, though civil, failed to achieve meaningful resolution and the initial issue of Oleson moving desks was not discussed. White continued to speak negatively about the supervisors when Oleson said there felt like a divide in the office and when Oleson asked what she could do moving forward, White said that she was "not in the right head space to answer that." Oleson then left White's office feeling as though she has "a target on [her] back."[7]

Carbone reported that the interaction between Oleson and White was "calm" and "professional," but that White was "crying" and subsequently rephrased the characterization of White as "teary."[8]

White said that Oleson reached out via Teams chat later that morning and that she "felt it was best to have a neutral party in the room," which is why she asked Carbone to stay. White also said that

[7] Oleson also reported that there has been a lot of turnover in the Clerk's Office and that White was the reason for some of that turnover. Oleson also reported that they were aware that White had made many complaints to HR about feeling threatened by employees in the Clerk's Office and that she would not be surprised if White made a report about her over this incident. When White was asked why employees may feel terrified or fearful of repercussions or retaliation, she stated, "I would really like to know why they feel that way" and provided examples of positive changes she has made to the Clerk's Office.

[8] Carbone stated that they had seen White cry before, as well as others in the Clerk's Office, at leadership meetings. Carbone was unable to recall if White was crying at the February 19, 2025, meeting about the binders.

she "didn't want anything to be said that I didn't say or get misconstrued" and that Oleson did not ask for privacy. White said that she accepted Oleson's apology and generally confirmed the series of events as reported by Oleson. White said Oleson brought up a disconnect between staff and the leadership team and that White responded by telling her that it was not a good time to talk about that.

Communication with Human Resources

After the events on the morning of March 3, 2025, White contacted HR and asked for a meeting. That meeting took place the following day on March 4, 2025, with Moore and Labor Relations Analysts Tara Hallam and Vicki Moll ("Moll"). White stated, "The reason I'm asking for the meeting is because this to me seems just another reason of undermining what we are trying to do here in this office." During this meeting, Moore and White recounted the events of the morning of March 3, 2025, but the characterization of events was dissimilar to reports by Engler, Long, Oleson, Sonntag, and Wherry. While White admitted to being "emotional" and "crying," at no point during the meeting did Moore or White mention that either of them had yelled, screamed, or used an angry and aggressive tone as described by multiple witnesses.

At the recommendation of Moll, White sent the following email to Oleson and copied Engler, Moore, and Moll, with the subject line "Desk movement" on March 4, 2025, at 2:35 p.m.:

> Good afternoon,
>
> I hope this message finds you well. I would like to take a moment to express my sincere apologies for the confusion and hard feelings that arose yesterday due to miscommunication regarding the desk movement. It was brought to my attention that the email sent to the supervisors regarding this issue, may not have been read by all, which ultimately led to a breakdown in communication with the staff.
>
> I truly appreciate you initiating the discussion after the incident to discuss ways we can enhance our communication process. I also appreciate the apology regarding the statement made. Your honesty in highlighting the disconnect has been invaluable, and I am committed to addressing this issue to ensure that all team members are kept informed moving forward.
>
> I look forward to our next meeting, where we can outline actionable steps to improve our communication strategy. Thank you once again for your understanding and collaboration.
> Sincerely,
> Constance

Oleson responded the following day and said, "I am in receipt of your email and look forward to continued discussions and collaborations. Thank you."

Following the meeting with Moore and White, Moore sent an email to HR on March 4, 2025, with the subject line of "Continued Concerns." She reported hearing that Oleson "has been telling people in the office that I berated her." She also stated, "Now, hearing that she has told others I

berated her is causing me significant distress and leaving me feeling psychologically unsafe at work. The implications of her words are not just hurtful but also have a broader impact on the team dynamics and trust within the office."

Additionally, on March 4, 2025, Wherry and Engler contacted Assistant Director of Human Resources - Labor and Employee Relations Melissa Arnold ("Arnold") via Microsoft Teams with concerns about an interaction with White the previous day. Arnold requested that they prepare written statements while the information was still fresh in their mind while an investigation was organized. Both provided their written statements the following day, and Oleson provided her own unprompted, written statement following her interview.[9] An investigation as described in this report ensued.

[9] For reasons unknown, Oleson signed her statement under penalty of perjury and attested that the facts contained in the statement were true.

Summary of Witness Accounts

Constance White – Subject

White acknowledged being emotional and crying during the interactions but denied raising her voice or behaving unprofessionally. She felt deeply hurt by comments suggesting she was disliked or hated by staff and described her actions as an attempt to address workplace disconnect. White viewed her conduct as appropriate given her experiences and responsibilities and believed she handled the situation professionally, although she admitted it could have been approached with less emotion.

Janelle Oleson – Complainant

Oleson described feeling targeted, overwhelmed, and emotionally impacted by the events of March 3. She perceived Moore's and White's demeanor as aggressive, public, and inappropriate, leaving her feeling unsupported. Oleson consistently emphasized her intention to de-escalate conflict and seek understanding. Despite repeated attempts to resolve concerns directly with White, she left those interactions feeling unsettled and fearful of potential retaliation.

Melissa Engler – Complainant

Engler's contemporaneous notes and interview aligned with concerns raised by others about the emotional and aggressive tone exhibited by White. She described White as "storming off" and "very emotional" during the confrontation. Engler also expressed regret that staff were subjected to the incident and reassured Oleson afterward that similar situations had occurred before.

Tyler Wherry – Complainant

Wherry characterized White's conduct as loud, emotional, and inappropriate for a supervisory setting, describing the incident as "abuse" and a potential "safety concern." He reported being shocked by the intensity of the reaction and emphasized that the issue being discussed did not merit such a response. Wherry also noted the impact on office morale and expressed concern about continued inaction in addressing this pattern of behavior.

Whitney Long – Witness

Long corroborated the emotional intensity of the interaction, noting that both Moore and White were "amped up" over what she viewed as a minor issue. She confirmed that White was yelling and crying and echoed concerns about the appropriateness of the conduct given the setting.

Tonya Moore – Witness and Involved Party

Moore denied being aggressive or accusatory and described White's demeanor as firm but professional. She reported feeling targeted and psychologically unsafe due to statements made by Oleson to colleagues. Moore also expressed broader concerns about a toxic work environment and perceived patterns of retaliation and exclusion directed at her by long-tenured staff.

Joey Sonntag – Witness

Sonntag observed the loud closing of Engler's office door and reported overhearing White's elevated voice from outside the office. Sonntag described feeling uncomfortable and disappointed by White's conduct, characterizing it as unprofessional and inappropriate for a workplace setting. Sonntag also expressed fear of potential retaliation for participating in the investigation.

Nicole Carbone – Witness
Carbone was present during the final interaction between Oleson and White. She described the discussion as “calm” and “professional,” though she acknowledged that White was visibly upset. Her presence was requested by White to serve as a neutral third party. Carbone’s account helped corroborate the emotional state of the parties while noting a lack of resolution from the exchange.

Clerk of Superior Court
Department Management Meeting Agenda
February 19, 2025, at 1:30 p.m.
10th Floor, Tahoma Conference Room

1. Round Table
2. Constance: Updates
3. Tonya: Recruitment of AA4 on behalf of Shaneeka
   Staff Call-in line reminder
   Monthly Supervisor Essentials Trainings
   Bring Your Child to Work Day
   Updates from Quarterly Superior Court Meeting
4. Nicole: Recruitment Documents

Next Meeting is March 6, 2025, at 10:30 a.m.

From:	Tonya Moore
To:	Andrew Sawtell; Ayana Watson; Constance White; Kasey Loete; Melissa Engler; Nicole Carbone; Shaneeka Tulloch; Stephen Seely; Tyler Wherry; Whitney Long
Subject:	2.19.25 Department Management Meeting Agenda.doc
Date:	Wednesday, February 19, 2025 10:56:34 AM
Attachments:	2.19.25 Department Management Meeting Agenda.doc image001.png

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See you this afternoon.

Tonya S. Moore, *CCM*
She/Her/Hers
Chief Deputy Clerk
Pierce County Clerk of Superior Court
930 Tacoma Avenue South, Room 110
Tacoma, WA 98402-2117
253-798-7759 | tonya.moore@piercecountywa.gov

Notice: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

From: Constance White
To: Melissa Engler; Tyler Wherry; Whitney Long; Ayana Watson; Andrew Sawtell
Cc: Tonya Moore; Shaneeka Tulloch; Nicole Carbone
Subject: Renovation / Changes
Date: Wednesday, February 26, 2025 9:36:52 AM
Importance: High

Good morning, Team,

I would like to inform everyone that we will be attending a construction update meeting on March 7. As we prepare for this transition, it is crucial that we maintain a clear and organized process.

Please advise your staff not to relocate from their current spaces until they receive specific instructions from a member of the Leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves.

Your cooperation in communicating this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction.

If you have any questions, please let me know.

Constance

Constance R. White
She/Her/Hers
Clerk of Superior Court
Pierce County Office of the County Clerk
Phone: 253-798-3371
930 Tacoma Avenue South, Room 110
Tacoma, Washington 98402-2117
Email: constance.white@piercecountywa.gov

Notice: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

March 4, 2025 | 11:30 AM – 12:00 PM | Meeting with Constance White (CW) and Tonya Moore (TM); Vicki Moll (VM) and Tara Hallam (notetaker)

CW: We just wanted to talk through a situation that happened yesterday morning. So, we've had a couple of people, we had someone retire. Someone left the office to go to work elsewhere, and then, we also had a vacancy. So, and all of these were LA3 positions, and we had seven internal candidates applying for in our office applying for those LA3 roles. So, we knew that there was going to have to be some movement happening as far as desks are. Just movement in general, in addition to for those positions, in addition to movement, because of our upcoming renovation. Also finding either temporary spaces for people, permanent spaces, whatever was going to happen, so we knew we knew this was going to happen. So what I did on February the 26th, before we even had interviews, we knew that the person that was retiring her last day was going to be on February the 28th. So I sent an e-mail to all the supervisors and their leadership team, saying that, I would like to let them know that, *we'll be attending a construction update meeting on March the 7th. And as we prepare for the transition, it is crucial that we maintain a clear and organized process.* I said, *please advise your staff not to relocate from the current spaces until they receive specific instructions from a member of the leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves. Your cooperation and communication, this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction, as if you have any questions, let me know.* That was sent out on February the 26th. When we came into the office on March 3rd, one of the employees was moving from one desk to another desk.

VM So let me ask you a couple of questions. Who was the employee that retired?

CW Becky Ahquin.

VM Who was the employee that was moving things?

CW Janelle Olseson.

VM And is Janelle a person that got the job? Who got the job out of the 7 people?

CW Brenda Clerk.

VM OK.

CW So, but we didn't want anybody to move because we're having to do other movements and we want, you know, 'cause, we have to find spaces for 7 other employees that we have to move out of the records section for the abatement to take place. So we didn't want any unnecessary movements. So that particular desk is, it's larger, it's bigger than the other cubicles. We had plans to possibly move our IT person in that space because he needs more space so that he can test computers. You know, because we need him to move him out of an office so we can move one of the facilitators in the office so that they're just a whole lot

of movement going on. So, we can minimize that, by sending this information out to the supervisors ahead of time. One of the supervisors responded and says *thank you for the update*. The other ones did not respond. I wasn't looking for a response. I'm just wanting to let them know. So Monday morning, we came in and we and I noticed that Janelle was moving to that other desk. I came into my office and Tonya went into that space. So that's where her office is. And so, and then I'll let TM pick up because I wasn't privy to that part of the conversation; she, Tonya, had the conversation with Janelle.

TM So I came around and I was like, *morning Janelle*. She was like, *good morning*. I was like, *what are you doing?* She goes well, *I'm moving my desk*, and I said, *well, there was a e-mail that was sent out to the supervisors that we asked nobody to move desk because of the renovation.* She goes *well, no one told me*. I'm like, *oh*, I said, w*ell, we're we don't want anybody;* I said*, this is for everybody in office. We don't want anybody to move because of the renovation. We're going to need to move people from the other half of office over here, and we don't want people having to move two or three times, we're trying to make it where people are going to be able to stay for a longer period of time.* And she just goes, *I just think you guys hate me!* And I was like, OK, I'm like, *no, we we don't hate you. I'm just letting you know. You can't move the desk because we literally need the desk space for stuff that's going to be moving because of the renovation over to this half of the office.* And I was shocked. And I was like. And then she started crying. And she's like, *I just don't understand. I was told months ago that I can move.* And I'm like, *well, I'm not sure who told you?* And she goes *well, Melissa - I asked Melissa three months ago if I can move.* I said, *well, that information wasn't communicated to the leadership team and we've been working on this renovation for months and we sent an e-mail out to the supervisors last week specifically letting them know that no one was to move desk space because of the renovation and the upcoming meeting on Friday.* Because we wanted to see what the schedule was going to be, see what the impacts were going to be and all of that.

CW And so at that point, Tonya came to me and let me know what happened, what was what was said. I then both Tonya and I went over to the supervisors and just, you know, they were all in the office together. And I was like, *hey, can you guys tell me what's going on?* And so Melissa Engler, she's like, *well, I told Janelle she needs to move back.* And I'm like, *yeah, but…*

TM …I forgot - I went in there before I before I got Constance. I'm sorry I went into so all the supervisors were in Melissa's office, so I kind of went and I peeked up my head and I was like, *hey, did you guys not notify staff that they couldn't move desk?* And they all kind of looked at me and was just like, *what are you talking about?* I said, *well, the e-mail Constance sent out last week about staff isn't to move desks due to the renovation and the meeting coming up. We didn't want anybody to move.* She goes, *oh, I don't remember seeing that e-mail.*

CW So, and that's where I pick up. Then I went, you know, from there, and I was just like, *hey, you guys got to tell me what's going on?* You know, I said *it's very hurtful to hear that an employee thinks that that I hate them,* you know. And I said, a*nd this isn't the first time that*

someone has said this. I had another employee that goes and tells somebody another supervisor that they don't want to be in this space because the leadership team doesn't like them. And I'm like, *it's very hurtful.* And I said, *and I don't know where all this is coming from. And I said I just need your help in trying to figure all of this out.* And I would. Yes, I was emotional. I was crying because this just continues to keep happening and I'm really trying to understand why. So, after that I wanted, I went over to Janelle and I told her, I said, *I don't have anything against you.* I, you know, I said - *I don't know what's going on.* She says, *well, there just seems to be a disconnect between the leadership and us.* And I'm like, *but that's what the supervisors are for. They're the ones that are relaying information.* And so, she's like, *well, can we talk in in there?* So, we moved into Tonya's office to finish our conversation. And I was crying. And she was like, *well, Constance, can I just give you a hug?* And I was like, *no, I, you know. No, we, I don't need that.* I said, *I'm just really trying to understand, and I want you to understand that I don't dislike you. I don't hate you. I don't hate anybody in this office*. And I said *and it's just hurtful that this just keeps coming up.* And I said, *I really don't want to talk about this right now.* And I left and I came over to my office. And I was like, I don't. I don't get this. So, then Janelle sends me a pop up message and ask if she can come and talk to me, and I said, this was about 8:20 – 8:30. And I said, *well, I'll be available at 9:00.* And so, she said *OK, I'll see you at 9:05.* I already had a meeting scheduled with Nicole, which was about the leadership team - she's the Justice Services Administrator - at 9:00 clock. And I felt that it was best to have a neutral party in the room, not bring TM in because TM was a part of all of that. So, I brought Nicole in and have her to sit in on the meeting and the conversation between Janelle and myself. And Janelle was apologizing, I told her, I said *I accept your apology.* I said, *there's no need to continue to apologize.* And so that's when she said again, *I just think that there's a disconnect and we're not being told things.* And I said, *well, that's the purpose of the supervisors, is as that middle management to relay information.* And I said, *no one's trying to hide anything*. She says, *well, I just think that information that we're telling them is maybe not getting to you and you're telling you're telling them things.* And I said, *well, this is what our department meetings are for. Staff meetings, Operation meetings, Section meetings*: I said, *if they're not relaying, if you're telling them information and it's not being relayed to us - Yes, I can't fix anything or address anything if I don't know.* And so, she's like, *well, I just think that there's a disconnect.* And maybe, she said, *well, I want to just, well, what can I do to help, you know, do this.* And I said, *well, I just don't think that today is a good day for us to try to iron all of this out.* I said, *give me a couple of days so I can kind of reset and then we can come back together in a couple of days. And then we can kind of talk about this better*. I said, *but I don't think today is really a big day to for us to try to figure out where what's going on and who's not relaying information.* And so, she said OK, she understood that. And she said, she said, "Well, I think that what I said, maybe it came out wrong." She said, *because you know me.* And I said, *well, yeah, you're right.* And I said, *but I also know what you said*. *But we can move on and, but I think we both need to kind of take a step back and let's get back to our conversation in a couple of days.*

The reason we're I'm asking for the meeting is because this to me seems just another reason of undermining what we are trying to do here in this office. Because it was very clear, and

we knew and knew that there was going to be people wanting to move around in the office because that's been the history of this office. When someone leaves, someone claims a spot. Well, there's more to it than that. Now at this point, previously, it really wasn't a challenge, but now that we're getting ready to move into a renovation, things that we don't have any control over time-wise and scheduling. I wanted to make sure that we got we were able to have our meeting with Construction and Facilities that scheduled for March the 7th and then the supervisors, we could all kind of come back together so that they would be able to know what we were doing. What the schedule was, based on the Contractor, and then we could plan accordingly. That was the plan and that's what was communicated to the supervisors, even outside of the e-mail.

VM: When she said, "*I just think you guys hate me"* Tonya, did she clarify who she was talking about?

TM: No, she just said "you guys."

VM: OK.

CW: I think it's just the leadership team. I said, "*what are you talking about when we say leadership team?"* And she's like, "*well, you, Tonya."* I said, "*so the leadership team is me, Tonya, Shanika and Nicole."* And she's like, "*Yeah, but, you know, I didn't mean it like that."* And I'm like, *"Well, I, OK, but that's what was said."* So. I just I just... I'm just really trying to find the best way to kind of navigate this. Because you know, there's another employee that said the exact same thing. You know, when we posted the Pre-Trial services positions, and I don't want this to be a running thing, and if the supervisors aren't communicating information, you know, yes, that's a problem. Because you know, it's to me… it's, you know, I'm trying to stay as positive as I can through all of this, and I'm hoping that this isn't. You know what? People are just choosing not to give information because even when I talked with Janelle in our meeting, I told her I said I said, *"I could go through a long laundry list of things that we're doing, but in a staff meeting -we don't have a lot of time and I don't want to just be the only one standing up there talking. I want to leave opportunity for you guys to ask questions."* But I just you know, I just need some help.

VM: It's odd that an employee would cry that she can't move. Like, I don't understand what's behind that?

CW: She, what she was telling us, was she's feeling that now. That Becky was an employee that's been here for 30 years, which is an LA3. Janelle is also an LA3, working in that same section, has been working in that same section for about three years. When I arrived here, they had started talking about she was going to retire, so she said: "*It's probably a couple of years."* So, at that point in time, I made a structure change to put another LA3 in that same section so that they could start training and gathering that information and knowledge from Becky so that we wouldn't wait till the last minute. And then Becky's leaving. And now, because I know that there's a lot that goes into that. So, prior to my being here, there were never any, there were not, there was only one LA3 in that section. When there was a promotion opportunity, Janelle got the promotion, and she was placed into Dockets to work

alongside Becky, in Dockets, to learn those things. Because I knew it was a lot of work. It was to help transfer knowledge. That's what you know, doing all of those things. So, when TM and I spoke with her, she said that she just feels like she's under a lot of pressure now that Becky's gone. She and I said, *well, all you can do is what you can do.*

VM: There's no time between when Becky left and now?

TM: No, Friday was her last day, and this happened yesterday at 7:30 in the morning.

CW: Yeah. So, I'm like, "*I don't understand*," and I'm like "*nobody's putting any pressure on you?"* She's like, "*I have to train. I have to do it".* Well, that's the role. And there are other individuals. There are two other individuals, one that got the promotion to LA3 that we're leaving in that section. She's already in that section. She already knows the job, and she's been doing it as a LA2, so it's not like she's got to come in and train somebody brand new. Because there's another LA3 there that will fill the role that is also knowledgeable. We didn't take anybody away. We thought about this process to make sure that we put someone in that second LA3 position that would be able to provide support to her…

TM: …Immediately relief.

VM: So, were there any voices raised or harsh words used in the any of the transactions?

CW: Just, I mean it was, it was just like, *"What do we do?"* I mean I'm trying to understand, you know, why would… I don't know why she would feel that we hate her? You know I haven't. I don't know what I've what I've done to make me feel that way and but that's the part… that is upsetting to me because, had your supervisor communicated this to you, we wouldn't even be in this situation because it seemed like it all stemmed from her not being able to move desks.

TM: Yeah.

VM: Right. If the supervisor had read it and then said, "*Hey, Janelle, I know I said this in the past that you could have that spot. And I know we've talked about it recently, but you know, because of A,B, and C, now we can't."*

CW: Right. Yeah, very easy. Because that's what it stands off of.

VM:, So what is Melissa - is she taking any other ownership, other than *I didn't see it*?

CW: So.

TM: No.

CW: So I'm just trying to understand what you know…

VM: So what happened? The rest of the day?

CW: Nobody talked to anybody.

TM: Nope.

CW: People were avoiding people. You know. I'm like, I don't… I don't understand. You know, we see. We see. You know, Janelle and Jenny and the little group. And, you know, we see little groups forming, you know…

TM: …the little cliques…

CW: …which isn't productive. There were three employees that just got promotions that we should all be happy for, I think. You know, I recognize everybody that had filled out that we interviewed, you know, saying how, how great everybody was, you know, but unfortunately, we only had three positions, you know, I had seven people. So, there were people that when we even talked with the ones that didn't get the promotion, you know, everyone seemed to be OK, and we talked about how we can, how they can grow and everyone seemed to be fine. I didn't get that there were any hard feelings towards anybody on Friday. When we announced the individuals that got the jobs and then, we talked to the ones that didn't. It wasn't until we came in on Monday that people I, you know, once, once again, you know, I say, *"Good morning,"* to people, and nobody had anything to say. And then, after that particular incident, that exchange, people didn't have anything to say.

VM: So Tonya, when you went in and talked to the supervisors, did you tell Melissa to tell Janelle that she can't move? Or did Melissa just said, *"OK, I'll tell her she can't move."* Or how did that come out?"

TM: She literally didn't say anything, she said, "*I didn't see the, oh, I didn't see the e-mail."* And then she's started going through her e-mail. I'm like well, we were. I said, "*Constance sent the e-mail last week. Because with the renovation, you guys know that the space is tight, and we have to move 1/2 of the office over to this half of the office. And so, we didn't want anybody to move so that we could figure out the plan after the Construction Meeting on Friday."* And she was just like, "*OK*."

CW: So, then when I went in there to talk to her, and I said, *"What's going on?"* And she said, that's when Melissa said, "*Oh, well, I told Janelle, she couldn't that she needed to move back."* But I didn't. I was trying to avoid that - you know, people starting to move and then you have to tell them that I didn't want…

VM: So, a couple of things here. You sent out an edict. One or more supervisors didn't see it. You don't need to provide them with any more rationale than you did.

CW: Right.

VM: And so, the employee made an odd statement that we don't fully understand, and it has some emotional ties to work and feels that she's had something taken away from her. Which isn't the case. And then we have the supervisor who didn't read it. One or more supervisors, and then allowed that to take place. Which the burden of this is on her. I mean, are you looking for like a global understanding of this event? Or are you looking to discipline somebody? I don't know if you have disciplined any supervisors in the past?

CW: I have not. But what I'm looking for is some, having a discussion about what needs to happen when emails are sent out. I mean I'm sending it out for a reason and a purpose.

VM: Yeah, that message is a very good one to send out to everybody. That you sent the original e-mail, in regards to what happened, "…*some of you may or may know that there was a misunderstanding about a move on Friday. And it's left some people with some hard feelings. That's why I sent this out, is to avoid all this. In the future, I would appreciate it if you would acknowledge…".*

CW: Right.

VM: *..the emails that I sent out.* I don't know if you send out one, an e-mail, once a week to them or once everyday?

CW: No, I don't. Not like that, you know. When I do send out emails to the group as a whole, I always start out with "*good morning team*" or "*good afternoon team*" - Just so that it's a trigger that this is an informational type e-mail. I'm trying to set and establish some consistency when I'm communicating with them.

VM: Right.

CW: So more is just kinda like because. There has not been any discipline to any of the supervisors but just really wanting to figure out and say and ask you kind of what would be the most appropriate next step?

VM: I think an e-mail to the parties involved. Just to say that you know that we had this event yesterday and you know it's caused some hard feelings and just want to reiterate that the decision was based on the rationale that you have and that you're sorry that the message didn't get relayed to everyone. I would leave it at that. And then I don't know if you need a broader e-mail to the supervisors and the management team to say in the future, "*For those of you who may know, there was an event that happened, and it was started because an e-mail hadn't been read and it's caused some hard feelings. So, in the future, I would appreciate it if you would read the emails that I send to you in a prompt and timely manner, and if you have any questions about the content of my emails, please let me know right away.*

CW: So, when you say when I said that as far as the first scenario, when we say that send it to those individuals affected, are you just referring to like Janelle?

VM: I would send it directly to Janelle. I would acknowledge that she came in and apologized. That's always a good peacemaking thing. And I would cc Melissa on it, and I would cc Tonya on it. I think those are the parties that were directly involved. And then I would talk to Melissa. I would have her come in and say to her that, *"This went really bad, so help me understand why."*

CW: OK.

VM: Get what Melissa has to say about it and follow it up the next day with an email that says, *"Yesterday, when we talked about, [fill in the blank], this is what we discussed, and this is the conclusion that we came to. If you have any questions about my expectations or the content of this e-mail, please let me know."* And then that's documented that twice you've had conversations with her about this event, which you've really had three conversations 'cause you had a conversation with her on Monday, but now you're going to have a conversation with her on when you meet with her and then a follow-up in an e-mail, so if there's any instances in the future that are similar in nature, you have this documented and it's she's been talked to two or three times.

CW: Got it.

VM: So, then it's really easy to go to a next step or to look at the trend, whatever it is that she's missing. But yeah, it should be acknowledged. This caused a lot of confusion and hard feelings unnecessarily.

CW: Right. Yeah, it is. It really did. So, OK. Well, that's what, that's what we wanted. That's what we just wanted, you know, kind of next steps, getting some direction and some assistance.

VM: Yeah.

CW: So thank you. I appreciate it.

VM: You bet.

Closing comments

End at ~12:00 PM

March 3rd, 2025 apx 7:40am

Tonya Moore came to my office where Tyler Wherry, Whitney Long and myself were conducting our morning check in.

She aggressively asked why Janelle was moving desks and stated an email was sent out last week about nobody was to be moving desk during the renovations and left.

I went to Janelle and apologized and told her to remain in her current location until it could be figured out.

A couple minutes later Tonya and Constance come into my office where Tyler, Whitney and I are still located and slammed the door. Constance starts aggressively stating that" Janelle and Melissa Buckman hate her and hate is a strong word. She doesn't hate anyone." She is crying and proceeds to storm off stating she can't take this anymore and is leaving for the day. This situation was happening as other employees of the office were arriving for work and could hear what was happening. Some of these employees had come to me later in the day to ask if I was ok after witnessing and or hearing this.

Other conversations between Janelle, Tonya and Constance take place that I was not a part of.

This type of emotional and aggressive behavior has been displayed at other meetings as well. During our last leadership meeting on February 19th, 2024, a binder was slid across the desk and presented to attendees. This binder was discovered in the records are of the office. This binder contained documents from cases where employees thought the names of the participants were funny. Constance proceeded to tell us how inappropriate this was and told us she had consulted with the Executives office and Prosecuting Attorney's office regarding the existence of this binder. She is very emotional with tears in her eyes during this whole conversation.

There have been other past incidents as well but honestly, I do not recall enough details regarding them to include them in this statement.

The blame for the divide in the office has always been implied that we are doing something to promote this. I just want to come to work, do my job and go home. We as supervisors are not promoting a divide between anyone in this office.

Incident Date: 3/3/25 @ 7:30 AM

Melissa Engler, Whitney Long and I were sitting in Melissas office doing our morning check in when Tonya Moore came in questioning us about why Janelle Oleson was moving desks. She kept saying in an angry and aggressive tone that Constance sent an email to the supervisors stating that employees are not to move desks. All three of us did not recall any such email. After Tonya brought up the email a few times and left we pulled up an email that was sent on 2/26/25 at 9:37 AM asking the supervisors to advise staff to not move desks but the email was talking about the upcoming construction and made no mention of employees not moving desks due to a vacated position. Constance then came over to Janelle and her and Tonya began to question Janelle about why she was moving and blaming the supervisors for not communicating that she shouldn't be moving desks. Janelle made a comment to the effect of "I feel like you guys hate me". This comment made Constance very angry and proceeded to storm into Melissas office. Tonya followed her into the office and slammed the door behind her. Constance then began to yell at Melissa, Whitney and myself about how employees in the office hate her, directing her anger at the three of us for this. She started yelling that Janelle thinks she hates her. She then yelled that Melissa Bucknam (formally known as Melissa Jaso) thinks she hates her and yelled that she doesn't hate anybody. She was so angry during this conversation that she was visibly crying. She then yelled "I don't need to deal with this. I'm leaving for the day!" and stormed out of Melissas office. Tonya left Melissas office as well but then proceeded to come back in and again started aggressively talking about the email that Constance sent. Tonya said that Jason Enloe was going to move into that vacant desk during construction, but we have had numerous conversations about construction and in every single one of those conversations Constance and Tonya said that all IT staff, which included Jason, will be moving across the street to the 945 building. And even if Janelle moved over one desk that would still leave an open desk available to be used during construction.

Constance did not end up leaving for the day, but instead took Janelle into Tonya's office with Tonya, to which I'm unsure of the full details of the conversation. Melissa, Whitney and I all stayed in Melissas office in shock that this incident just took place. After talking about it amongst ourselves for a few minutes I left Melissas office. When I walked out an employee, Joey Sonntag, came up to me and asked if I was ok. The employee stated that Constance was yelling so loud that he could hear individual words she was saying even though we were in an office with the door shut. It is my understanding that other employees also heard the commotion as they were arriving to the office. This could have easily been addressed with a simple conversation between Constance or Tonya and one of the three of us, which we then could have just asked Janelle to not relocate at this time. In the days since this incident occurred it has been talked about non stop within the office, with some employees again asking me if I was ok after the incident.

This is not the first time this type of incident has taken place. On 10/4/24 Melissa, Whitney and I were called into a meeting with Constance and Tonya in Constance's office about the Front Counter staff potentially taking in all payments for the office, which would increase the workload for that section. When I asked follow-up questions to get a better understanding of what would potentially be required Constance started yelling at us about how we don't support her and that the three of us were the reason for the divide in this office. She then began to cry while yelling at us and stated that everything that she does is for us and that she is just trying to make the office better. There was never at any point that we were questioning her or being rude with our questions. We simply wanted to get a better understanding of what this new process would entail, which is our job.

This type of situation also occurred on 2/19/25 in a Department Leadership Meeting in the Tahoma conference room on the 10th floor. At the end of this meeting Constance slid a binder across the table and said she had found it back in the Records section. The binder contained copies of documents from cases where people had names that people found amusing. This binder had been created long before any of us started working at the Clerks Office. Constance started lecturing us about how we needed to be better, and we needed to help her change the culture of the office. The three of us knew the binders existed but were under the impression that Constance had found them and removed them a while ago. The lecturing was very clearly directed at the three of us when there were 7 or 8 people total present in this meeting. This conversation again made it feel like the three of us were the problem in the office and the reason why she needed to change the culture. Constance also mentioned that she brought this information to the Prosecutors Office for them to review, which made it sound like she was exploring legal action against employees regarding this situation, which felt extreme.

I believe that the three of us are being targeted because we have worked in this office since before Constance was hired, and I believe this type of environment is being used to push more tenured employees out and replace them with new employees that don't know the history of this office. Since Constance became clerk 22 employees have resigned from this office, many of whom left due to the stress of being targeted through HR investigations or because of the hostile work environment. She has also made a "Leadership Team" that consists of Constance, Tonya, Nicole and Shaneeka and does not include tenured employees like Melissa, Whitney or myself. In emails sent to staff as well as during all staff meetings it has been made clear that staff need to speak with a member of the Leadership Team if they need anything, which bypasses their direct supervisors. This is a perfect example of Constance and Tonya creating a divide in the office, but somehow we get blamed for this divide.

We spend a lot of time in this office, and I want to work in a place where there isn't a constant threat of verbal and emotional abuse. The Clerk's Office is a hostile work environment and is not a safe place to work. At this point I don't even feel comfortable sitting in my own office for long periods of time for fear of having one of these interactions with no witnesses around. I come to work every day having to worry about if I am going to get verbally or emotionally abused or blamed for something that I didn't do or has nothing to do with me and I know that is not a workplace environment that reflects the values of Pierce County.

Tyler Wherry
Legal Processing Supervisor
Pierce County Clerk's Office

March 6, 2025 | 1:00 p.m. – 2:00 p.m. | Interview via Teams with Melissa Engler (ME), Vicki Moll (VM), Tara Hallam, notetaker (TH).

Introductions and admonishment

VM Do you have any questions before we begin?

ME No.

VM So I want to go back to Monday. And I know this is probably something you'd like to forget. Well, actually I want to go back to the e-mail. Do you recall receiving the e-mail last week?

ME So I after the incident occurred and I believe Tonya stated an e-mail was sent out, I went back to my emails to see because it just it wasn't coming up in my mind that I had read something like this. And so, I found the e-mail that it went out, I think Wednesday afternoon, and I read through it. It had started out talking about renovations and we have a meeting coming up. *We will have some updates for you.* And below that then it went into: *Please let your staff know not to move desk during this time.* I apparently just glazed over that or didn't read that portion and didn't think anything of it. I had talked to Janelle probably months ago, anticipating Becky's retirement. She had asked me if she could move over there. I had said, yeah, I don't see any problem with that. I had to reflect back to the e-mail.

VM Thank you. So then let's go to Monday. Did you see Janelle moving her stuff?

ME I saw her over there. Like, we had a bunch of retirement stuff up for Becky and she was over there cleaning it up and, you know, dusting and cleaning noticed that she was just cleaning up the retirement stuff.

VM How much time transpired between you saw her at the desk and then Tonya coming in?

ME If I had to guess, maybe, I didn't witness Tonya coming in. I would, I know in my statement I put approximately 7:40. You know, Janelle gets here a little bit around, her start time is 7:30. So I had to, I would have to guess 7:40, 7:45-ish.

VM Tell me about, and I know you've written it here, but tell me about what you experienced when Tonya came into the office?

ME So she was. She just kind of came in, you know, hastily and was like, *why is Janelle moving? An e-mail was sent out. There should be no movement* and then she headed over to her area. And so, Tyler, Whitney, and myself were in our office. And I'm like, *do you guys remember receiving an e-mail to that effect?* I believe Whitney said *no*. So, I that's when I reflected back to my e-mail. And I said, *oh, there was an e-mail sent out that does instruct no movement*. So, at that point I went over to Janelle and I said *there was an e-mail that went out. I need you to stop moving your desk. Just stay where you currently are, and we'll work this out.*

VM What was Janelle's response to that?

ME I don't know. She was just like. She's like *I need this space*. And I go, *I understand that. But an e-mail was sent out about everybody staying put during the renovation. So, if you could please just stay where you currently are located until this could be resolved.* She was frustrated. Becky was her mentor, and I can tell that she was maybe having a hard time adjusting to her being gone. This was the first day of her not being there and she had a lot on her plate. Those are big shoes to fill, and she was leading a section by herself now, that was probably weighing pretty heavily on her at that time.

VM Was she emotional?

ME She wasn't chipper and happy, but she wasn't teary-eyed or crying or anything like that.

VM And so you went back to your office. And how much time elapsed before Tonya returned with Constance?

ME Yeah, I would say maybe fifteen, 10-15 minutes later at the most.

VM And was there talk between you and Whitney and Tyler about like Tonya's demeanor when she came in for that initial conversation? Did that alarm you?

ME A little bit. You know, I felt bad that I had missed that in the e-mail and this whole thing had transpired the way it did. I feel like Tonya just witnessing that could have come to me and just said, *you know, I see Janelle's is moving into the space. An e-mail was sent out. Addressing this and I see she's moving*, and at that point I would have referred back to my e-mail and I said, *oh, I'm so sorry. I'm I overlooked that. Let me take care of this* and have Janelle stay where she's at.

VM So did Tyler and or Whitney have any words in between Tonya leaving and then Tonya and Constance coming back, about this event?

ME Not really. I mean, we just kind of continued on our normal conversation. Typically, every morning we get together and talk about you know, *what do you guys got going on your agenda for the day? I'm working on this*. We were all a little shocked. Just I don't wanna say that Tonya was aggressive, but you know, it was like first thing in the morning. She's in here going, *what's going on? You guys were instructed not to do this. An e-mail went out.* And then she proceeded to go back to her office. So, we were just a little taken back by it, but I don't recall any conversations that we had regarding the situation.

VM And so then let's go to the Tonya and Constance come into your office.

ME Yes. They both walked in together. The door was shut. I don't. I don't know who shut the door. It was kind of loud. The doors here are kind of loud. I don't know if it was slammed on purpose but, Constance just starts out the conversation with, *I hear that Janelle and Melissa Buckman hate me. Hate is a very strong word. I do not hate anybody* and at this time she's very emotional, very aggressive. There are tears in her eyes. And says *I can't take this anymore. I'm leaving for the day* and storms out and Tonya follows behind.

VM Did Tonya say anything in that second episode?

ME No.

VM Did Tonya have any facial responses?

ME She just kind of turned around and followed right behind Constance.

VM And did any of the three of you get a chance to say anything?

ME No, I think we're just kind of in shock. We didn't really know what to say other than *wow.* I mean, I I I can't recall exact details of what was said, if anything.

VM Was Constance in your office for longer than a minute?

ME I would say no, no longer than a minute.

VM So you say that you were in shock, but you didn't say you were surprised?

ME Well, we've witnessed this before from her in past meetings. I think I touched on that in some statements. You know, she can become aggressive and very emotional. And in that setting, for me it it's hard for me to even try to respond to something like that. I don't want to speak up and make things worse. I did it once before in a meeting where I can't even remember what the meeting was about, but but kind of the same. I was…it was something to do with *you guys are turning the office against me.* You know, there's conversations that are happening and I had made a statement to the fact like, *I don't really think these conversations, or these statements are coming from us*. Referring to Whitney Tyler myself and she's like, *yes, they absolutely are coming from you.* So after that I just kind of decided, you know, it's not worth my emotional state to try and respond to anything. Let her say what she needs to say to get it out and and try to move on from there.

VM Do you have any idea the time frame that last statement was made, "Yes, it was absolutely coming from you"?

ME Oh, I have no idea. It was during one of our Operations meetings, I'd have to refer back to my calendar.

VM Longer than six months, or about six months or a year or?

ME No, I would say with there was within the last three months.

VM Did she ever give you any other information than *is absolutely coming from you* and she she wasn't referring to you? Or did you take it that she was referring to you? Or did she meant you all or?

ME She was referring to us three supervisors. That's absolutely coming from you guys.

VM Did the three of you have a chance to talk about that at any point?

ME Not really. You know, we try to just move on from it. Put it behind us and and hope that we can grow from it and and that seems to be becoming a pattern where these things happen,

you know, and it's kind of on edge for a while. And then we move on for it this up and down emotional roller coaster of OK, everything's OK. Now we seem to be getting along. And then something else happens and it's this aggressive emotional outburst from her, and then we're back to square one and then you know, everything seems to be going OK and then it happens again. And honestly, I'm just. I don't know how much more we as supervisors can take, you know, we seem we seem to think we're on, we're headed towards a a positive path, and it keeps happening. And I just think there's there's better, less emotional ways that it could be dealt with.

VM Did Janelle have any more questions for you after you relayed to her that she could not move?

ME No.

VM Anyone else come to talk to you? From what I understand, it was kind of loud.

ME At the time this was all going down. You know, there were other employees that had started arriving in the office and where my office is situated, It's right in the middle of the office and it's one wall with tons of windows. I call it the fishbowl. So everybody can see and everybody hears what's going on. So there were other people. Joey Sontag came to me and said, *are you OK?* And I said *yes, I'm OK.* Trying to think of who else you know, as you know, gossip gets out, you know, and as the weeks progressed, news has traveled. So there have been other people from even other departments that have checked in with me to make sure I was OK, which was very heartfelt. I'm typically not a very emotional person, so around 2 witnesses was was being... [crying]

VM OK. Do you have a something you can drink there? Just take a moment.

ME [crying] Yeah, you know, and unfortunately this isn't the first time. It just happened to be the first time that somebody else has witnessed it. You know, and I kind of had to say that, you know, *thank you. I appreciate it.* It's not the first time, but.

VM Is there anyone that you think would feel comfortable talking to given resources about this event?

ME I think Joey would. There could have been other people that witnessed it. You know, I was just kind of in shock. I wasn't really paying attention to who it arrived, who wasn't here yet, you know.

VM Any idea who is Tonya's biggest ally is in the office?

ME I would say Constance.

VM And then Constance's biggest ally?

ME Well, I would assume anybody on her leadership team: Shanika, or Nicole, and her Administrative Assistant, Casey.

VM Of those three women - has Nicole been here the longest or Casey?

ME Casey's been here longer than Nicole.

VM And then Nicole's been here longer than Shanika?

ME That's a tough one. I'd have to look back on. We have an internal Excel spreadsheet of hire dates for people so we can keep track of it. I can look at that real quick if you want me to.

VM Sure.

ME So Shanika came just a couple of like a week before Nicole did.

VM And I know that Constance has been here the rest of the week or since this was transpiring.

ME Yes, right, she did not leave. Not that I noticed. She was here later that day that I saw.

VM OK. Any conversations with Constance since then or?

ME On Tuesday, I did go into her office in the morning regarding an e-mail we had received. With just asking some clarifying questions for her and it was fine, you know, back to everything's fine. Like nothing had happened.

VM And is that what you have experienced thus far? Is when an event takes place that there's a *blow up* - my word. No one elses.

ME Yeah, you know, she's and then yeah, like we've moved on. Let's forget about it. You know she likes to use the word “clean slate.” Let's start with you know, there was the incident I talked about with the binder. Everybody's got a clean slate after that incident. I went in there and said, you know, I've been here 20 years. I've was aware that the binders existed. I thought they had all been confiscated. As far as I know, there were only three binders and just, you know, wanted to kind of clear the air about the binders. And she's like, OK, thank you. You know, just cheerful, like, no big deal. You know, but in the Leadership meeting, when she's very emotional and tears in her eye again, this whole aggressive speech about how inappropriate it is, which I don't disagree. Yes, the binder is inappropriate, but something that was put together…

VM They were in existence prior to her being here, correct?

ME Yeah.

VM So with being emotional and teary-eyed - how frequently does that happen?

ME It's happened those last two times that I can think of these last two episodes. You know, it's it's…

VM That in a four-week period or not in a eight week period or what is that?

ME Yeah. Well, well, let me see. Trying to think of when that our last leadership meeting was. So our last leadership meeting, I believe was January 15th and it seems like there would have been another one. I feel like that's two leadership meetings ago, OK, February 19th was the leadership meeting. I believe that's when the binder incident occurred.

VM Oh 2024. Binders were just talked about this year?

ME Yes.

VM So I put the binders were talked about *last* year.

ME No, the binder. Pretty sure that blow up about the binders was in February of this year. Yeah, it was recent.

VM Was there any other prior conversation about the binders?

ME Not in any of our not that I can recall in any of our on any of our leadership meetings or operations meetings.

VM She was emotional about that cause apparently, and I'm kind of filling in the blanks here. She may have thought it was a reflection on her or emotional about it for some reason.

ME She had gone into a statement about a letter that was found in one of the previous binders is one of the other binders, not the one that she had provided us with on this date, but one of the other binders that was found and it had a letter from a gentleman that was in custody in a prison and it was a letter to his mother. And her, being a mother of sons, you know, made her emotional in speaking with it about how this this letter never made it to the mother, and it's going to be my mission to track down this woman and make sure that she gets this letter that her son wrote her from prison. And I mean, yeah, it's just. I mean, it was just kind of the story on set, you know, off of this letter that was found in a binder.

VM Was there a date on the letter?

ME And not now. I don't. She didn't. She didn't have it. She was just using it as an example.

VM When so, would you say you've seen her emotional on the verge of tears? A dozen times or six times, or four times?

ME I would say. Including these two instances, I would say two to four times. Maybe not full tears, but visibly upset that uh, regarding something.

VM Does she acknowledge her emotional state?

ME I mean, what do you mean by that?

VM Like, *I'm sorry, I'm getting. I'm sorry. This is upsetting to me* or like *I need a moment?*

ME No, not really. I mean like for this last incident, she just kind of wiped her tears away and stormed off. I mean, she doesn't say I'm so sorry. I'm emotional. This really hits home with me or anything like that.

VM That must be confusing.

ME Yes.

VM So let's go back to the event to Monday and who's responsible for this event in your opinion?

ME Who's responsible for the event? Who do I feel is responsible for the event? Well, from the very beginning, I feel like Tonya walking and witnessing what was happening could have come to me and just said kind of like I said, *I see Janelle's moving. The e-mail was sent out. Can you tell me why this is happening* and at that point I would have, like I said, reflected back. *Oh, I must have overlooked that. Let me talk to Janelle. Make sure she's aware that she's not supposed to move.* You know, and just I feel like Tonya initially started the event. I know, like Janelle has also made it be known that the comment she made, and I wasn't in there when the comment was said about what do you guys do? You guys must hate me. She even told me she's like *I shouldn't have said it. It was my gut reaction. I was having a bad day. I wish I could take it back.* That is not like my character to say something like that, and I'm like, well, you said it. It's nothing we can do now to take it back. And in that instance, you know, I don't know. I don't know how Constance got involved with it. I'm assuming Tonya went and talked to her about what is transpiring and that's how they all ended up in my office.

VM So when you're in the midst with the answering the question, you know *why is she moving* and you're like, *oh, I, you know, I I'll talk to her* whenever you were, did you think it was over or did your initial reactions like, *Oh no, what's going to happen from this?* What were you feeling at the moment?

ME I was feeling like I'm gonna go talk to Janelle and she's gonna stay where she's at right now. End of story. I didn't anticipate any additional thing happening from it. End of story. I didn't anticipate any additional thing happening from it.

VM Do you think that Constance owes you or the other supervisors any conversation related to this?

ME I mean. At this point I don't know. I mean, we've had these ups and downs for so long and at this point I just don't it. It feels different with this one. For some reason it's it's now come to the point where there's an investigation. I just feel like there's really no turning back at this point.

VM What does that mean to you?

ME Oh, I don't know. The other times we've just been able to kinda put it behind us, move on, you know, and everything's OK for a while until something else happens. But none of them have led to like a full-on investigation, where supervisors are now, you know, complaining to HR about aggressive conversations and emotional conversations being had, you know It can't continue to happen like this. The mood in the office, you know, it's it's up and down too. Based on seems to me based on what her mood is. You know we as supervisors. Is she here today? What kind of mood is she in? You know, I have to talk to her about something. Is she in a good mood? Has anybody seen her? You know, and it's just like we just never know what we're getting sometimes.

VM Do you believe that she targets people who had a lot of turnover in your department so?

ME Yeah, I think so.

VM Do you have any basis of why she would target someone?

ME No, I mean back at the very beginning, I feel like she targeted Chris Hutton. She felt threatened by him in some way. Maybe for his length of service there, I don't know. I know an investigation was done. It was unfounded from what I have been told, and he was suspended for a week regardless. So, I feel like everything tends to be taken to HR where you know, maybe conversations just need to be had internally. If you look at the turnover in this office. I mean…

VM When you say everything is taken to HR - she takes it to HR, or everyone's taking it to HR, or, who's taking it to HR?

ME I think it's different people, you know, report stuff to HR. As somebody who's worked here for 20 years, there was never turnover. There were never investigations like there have been in the past 2 1/2, three years for people being investigated by HR for. I don't even know what I don't. I don't know enough of the details about them. You know, you just hear *this investigation is going on.* You know, it's, it's all hearsay. I never have really been a witness. And Tara, I think in our last conversations, I kind of touched on that you just you hear stuff through the grapevine. But it's never stuff I've been actual witness to. So, you have to just take it with a grain of salt. And assume it's being handled the correct way, but…

VM Chris - Is he the one that told you that the allegations were unfounded?

ME Yes.

VM How long did you work with Chris? Did you said you've been here 20 years? Was he here? Did he have that long of tenure as well?

ME He was here when I got here.

VM Did you have any concerns about Chris and any of his roles here? Are you aware of anyone else having any concerns about Chris during this time here?

ME No.

VM That audits that have gone on recently - well, last year I guess, and recently - who's to blame for that, in your opinion?

ME What?

VM The audit findings.

ME Are you talking about like the financial section. I'm assuming the auditors, whoever came in, and I mean we always…

VM But like if they had findings against Pierce County. And so, if you don't do work in that body of work, that's fine. But if you do…

ME Yeah. No, I don't. I mean I it seems like every year you have your state auditors and your County auditors that come in and audit the financial section. It's gone on for the 20 years I've been here. I don't.

VM Has there ever been findings in? I mean, I don't know if you're familiar with what like was reported in the News Tribune?

ME Well, I remember the news articles that had come out and that's the first time in my 20 years of working here that any news articles had ever transpired from audit findings.

VM Were you surprised that the audit finding?

ME I guess I mean, like I said, they've never been made, been made newsworthy before. If any negative findings in the past had been found and they never made the news like they did this time.

VM Are you actively looking for other work in either Pierce County or outside of Pierce County? Because of these events?

ME Yes. Not seriously, just kind of putting some feelers out there. But not like submitting applications or anything like that yet.

VM OK. Is that because of the relationship or the environment in the office?

ME Yes.

VM Do you know if Tyler is actively looking for work inside Pierce County or outside?

ME I don't know if he's actively, you know. You comment, like, *this is enough*. You can't take this anymore. I really need to start looking for something else, but with him I don't know. I really don't know.

VM What about Whitney?

ME No, I don't think so. I think she was happy to get her supervisor's job. She's been a supervisor for only a year. So, it's new to her, something she's wanted for a long time.

VM Do you need a moment?

ME Yes. [crying] Just tough. I always loved coming to work. My husband had always commented about my work ethic and *why don't you just call in today?* And I said I just can't do that. I love my job. I don't I wanna call in. Why would I do that? You know, even during all this, he's like, you know, *there's other people that can do it.* And I'm like, that's not fair. I see myself, you know, retiring from the County. I've got another nine years and if it has to be in a different office, so be it. But I like working for the County.

VM When I asked to ask you if you believe that Constance targets people, you said yes and then we went into a conversation about Chris. Do you think that she targets people based on anything in common?

ME Hmm, no. Maybe pushback that they give? We had a staff meeting and I know the Melissa Bucknum name has come up and you know, we've had staff meetings where it's an opportunity to say what you need to say, you know, goes around the room and that was when we got a new financial system. And she had made a comment about training, she didn't feel like she got the training that she needed and kind of just gave her a little push back on it, and Constance admitted that you know the training, she owned up to that, that there could have been more training, you know, and that's on her. She stated that, but at at that point, somebody then started an investigation against Melissa for the comments that were made in a meeting, I mean it just seemed unnecessary. That was what that platform was: you go around the room and you ask questions or comments about what's going on in the office, and then you know, she gets in trouble for speaking up. You know, that's kind of the way I I took it.

VM Do you remember anything about her behavior that you would come across as disrespectful? And I know that you've answered those kinds of questions about that event before, but do you recall, for my notes here, if she exhibited an appropriate or disrespectful body language or word?

ME No.

VM Is Melissa still in your department? Is she an LA2?

ME She's an LA3 She actually just took a new role as an LA3 for Kelsey's departure. She's now learning the probate adoption guardianship stuff in our area. She was previously a front counter worker.

VM Kelsey's still with the County?

ME She is. She works for Superior Court now.

VM So in your 20 years, 'cause I had a chance to review some of the people that have come and gone from the department, and it seems like there's a handful or more that have transferred to Superior Court: Is that the way it's always been then?

ME Mm hmm, no, not necessarily. It's an easy transition 'cause we work so well together, you know, we're the record keeper for Superior Court. So, the work we do is goes hand-in-hand. So, for them to transfer to, for our employees to transfer up there, it's an easy transfer. You know, we use the same operating system. We're familiar with the paperwork. And that would go for people that could possibly transfer down to us as well from their office if they're looking to move.

VM Are you aware of any issues that Kelsey may have had with either Constance or Tonya?

ME No.

VM The meeting to talk about construction movements happening tomorrow. Are you a part of that?

ME No.

VM Do you have any other opinion about why this went south so quickly?

ME Not really. I mean, it just seems all so unnecessary. It's a conversation that just needed; a calm conversation that just needed to have happen. It was just a misunderstanding all the way around and it just escalated so quickly for no reason in my mind.

VM So with Tonya, you report to her and have for the year that she's been here. Is her behavior changing 'cause you you mentioned she came in *aggressive* or *kind of hot*. My word again, nobody else's.

ME That's the most aggressive I've ever seen her. She's usually. She comes in, she's in her office for most of the day. I can go to her if I need to. She's usually very pleasant. We have monthly check-ins but it's just very casual. *What's going on? What are you working on?* That kind of stuff. You know nothing as aggressive as it was on Monday. And it really wasn't that aggressive. It just it's the most I've ever aggressive I've seen her, and I guess it would be your interpretation of aggressive. I didn't feel threatened by it, but it's the most worked up I've seen her.

VM Is there a lot of pressure going on in the office these days? An unusual amount?

ME I think for the supervisors and in general and it kind of all has to do with the turnover, if you look at the turnover in our office, the staff is half of this office is new within the last two or three years. So, we've lost a lot of that institutional knowledge. And so, the newer employees just don't have that that knowledge to get the job done as quickly and as efficiently as it was in the past. So yes, we're running around. We're picking up the slack, so to speak, and I know you know, Constance and Tonya have made comments about *you guys shouldn't be doing the work*, but my mindset is I'm not going to let my employees fail and fall behind. I'm going to get in the trenches and help them out. So they're not struggling. You know, I'm going to do what I can to support them until, you know, they get that that knowledge behind them to where they can quickly and efficiently do the work that needs to be done here.

VM So do you have the like the top three reasons in your opinion why there is such a high amount of turnover?

ME Top three reasons?

VM Yes, unless you wanted to give me more?

ME I don't I wish I could, I mean. I think it all started, you know, with when Constance came on. People just weren't happy that it wasn't filled by somebody internally, which has been the status quo in this office for from what I heard from when the onset of time. People tried

to work with her. You know, I never had any problems at the beginning. I really couldn't give you top three reasons. I I I just can't.

VM I appreciate that. Did people in the office give Constance a fair shake or a fair chance when she got here? You mentioned that some may have felt that someone else should have been selected.

ME Yeah, I know. I wasn't included in this, but I know you know a few of the other what I would call leaders at that time, or other managers or supervisors had taken her out to lunch or, you know, taken her out to dinner and Andrea Kelly was the Acting Clerk when she came in here and I heard Emma, and maybe even JJ, from what I've heard, Justin, just lunch dates and tried to get her accustomed to the office and get familiar with surroundings and stuff like that.

VM So you didn't know of, or witness anyone actively ganging up against Constance?

ME No.

VM So the three people that you just mentioned, they're no longer in your department?

ME Correct.

VM Do you know why?

ME I know Emma RC1 [redacted] for the way she was treated by Constance. She's told me that directly. JJ was our fiscal manager, I feel like he tried to work with Constance, but she never sat down with him to learn like the insurance and out of the financial system. And when the opportunity arose to work for Superior Court with their fiscal person retiring, he jumped on the chance to move out. Andrea Kelly, too, RC1 [redacted] related to how she was treated by Constance. Nothing that I could ever witness just this is just what I've heard from her. I know that they've had conversations, possibly with HR, I know Emma went and talked to the Execs office at that time about what was going on when she was leaving. I feel like some of the people that have retired here retired sooner than they wanted to. Becky included. Becky's last day was Friday the 28th and I think she would have stayed longer had the morale in the office not been so bad and she wasn't happy with the way the office was being ran. I think a lot of the retirements that have happened recently are just sooner than the people, people retired anticipated retiring.

VM Did Becky report to you?

ME Yes.

VM What did you do for her retirement day? And what did Tonya do? And what did Constance do for Becky?

ME Becky does not like to be the center of attention. She did not want anything. But being that it was 30 years with the County, we felt like we should at least do something. Janelle kind of did put together a little spirit week with different clothes to wear, you know, pink day, polka dot day. People had brought some food in. There was also Kelsey's last day, and one

thing that was brought to my attention is Kelsey was given a bouquet of flowers or flowers of some sort for it being her last day from Constance. And Becky said that *Constance never even wished me well or congratulated me in person or came to me on my last day and said anything.* And I think at that point she was just glad to be gone.

VM Where was Tonya? Engaging with Becky at all?

ME I don't believe she did.

VM Tara, do you have any questions?

TH [Asked more details about binder incident]

ME At this meeting [Feb 19, 2025], we get an agenda. And kind of at the end of it, she slides this binder out and proceeds to talk about how she was back in our records section, I don't even know what she was doing back there, but she had saw another employee fumbling around with this binder and kind of went over to see if she could help her with it, and the employee said *no, no, no. I've got it*. Just kind of closed it really quickly. And Constance said she didn't think anything of it, but she did think it was a little weird. And had said that later in the day. I don't know if it was after everybody had left or whatever. She went back to find the binder and had found it in a drawer, kind of buried under some other stuff, and realized it was a it's a binder of documents from public case files where maybe one of the parties had a goofy name or something employees thought was a humorous name and had compiled this binder of names. And then proceeded to go on about how inappropriate this was. And you know, *I've talked to the Execs office. I've reached out to the Prosecuting Attorney's office about you know, having something like this could ensue charges against the office* and honestly, I don't know how that could happen. There were mostly public documents. They're not subject to any sort of confidentiality, breakage or of any sort. They're documents filed in public cases that anybody would have access to. And kind of proceeded, go ahead…

VM Was binders on the agenda, or this was just at the end of it the meeting?

ME I don't believe it was on our written agenda.

VM You keep copies of those agendas?

ME They're sent out in an e-mail, yes.

VM Can you forward it to me for that day?

ME OK.

TH And I believe you said earlier, and I just want to confirm somewhere in my notes, I believe you said this is the first time that this had been brought up in a meeting or talked about, is that correct?

ME Yes, the the binder, yes.

TH Thank you.

VM Do you know where the binder is now?

ME I'm assuming Constance has it? If she's still has it, or destroyed it, I don't know.

TH Those are all the questions I had Vicki. Thank you.

VM Do you know how to reach EAP? I'm flipping hats here from my *question asker* person, to *HR*. Do you know about EAP?

ME Yes, yes.

VM You know how to make make contact with them?

ME Yes

VM OK, excellent. I also want to talk to you about retaliation. So, retaliation is viewed differently than what the things that we just talked about.

ME Yeah.

VM So if you believe that you are experiencing retaliation in any form because of your bringing this forward to HR because of, you know, the conversations that we just had, you need to bring that to our attention right away.

ME Definitely.

VM You said you aren't fearful or I'm not sure if you're scared or afraid?

ME No.

VM Are you afraid to be alone with either Constance or Tonya, or alone with Constance *and* Tonya?

ME No, I'm not afraid. You know, after these incidents occurs, maybe a little uncomfortable. I just want to put it behind me. Move on. Let's think of the positive. Let's move on from this and another day, let's get back to the positive side of things.

VM What are you gonna do if one of them brings it up?

ME Sit down and talk about it. Have another supervisor with me. I wasn't the only one witness to it, so I don't feel like it should be just one-on-one with me. We were all involved.

VM I don't know if anyone would approach you and take a stand or question you about it.

ME I never have in the past, so if they do now, I feel like it would be weird.

VM So just have some words ready. Like, *I wasn't expecting that. Can we talk about it later? Can we talk about it tomorrow? I need some time to think about this because it was disturbing.* Whatever your words are.

Closing remarks

1:55 p.m. end

March 6, 2025 | 10:00 a.m. – 11:00 a.m. | Interview via Teams with Tyler Wherry (TW), Vicki Moll (VM), Tara Hallam, notetaker (TH).

Introductions and admonishment

VM So do you have any questions before we get started?

TW No.

VM OK, fantastic. And Tara and I will both be taking notes. We may both ask questions, and so if from time to time it's quiet, that's OK. So, the first thing is I want to go back to is the e-mail that you received last week…

TW …OK.

VM Do you remember when you read that?

TW No, I mean specifically. No, I don't.

VM But you did.

TW I I assumed I read it as it came in or shortly after.

VM Did you respond to Constance or anyone else in the e-mail?

TW No, didn't seem like an e-mail that warranted any sort of response or anything like that.

VM Or, what was your understanding of that meeting from that e-mail?

TW That construction is starting and they have a meeting. I think it's tomorrow now on 7th I believe. So just kinda, wait for further instructions.

VM And when did you have knowledge that an employee was in the process of actively moving her work stuff from 1 station to another?

TW As this whole incident was taking place, she's not my employee and so any of that stuff isn't… I mean, it could be potentially, but it wasn't asked about, you know, for my permission or blessing or anything like that. And actually, when I came in that morning because the employee Becky who vacated that desk had retired, I didn't even clock that she was moving stuff because she was also cleaning up all the retirement stuff. So, there was like banners and balloons and all that stuff. So, you know, when I got in, she wasn't moving her stuff to be quite honest with you. I don't believe. I think she was just cleaning up the space after the after Becky had retired.

VM Who was doing that?

TW Janelle Oleson.

VM So what was your impression when you learned that she actually was moving her things? Like, what did you think?

TW I mean, I felt like that was something that was gonna probably happen anyways. So because Becky was leaving, that desk has more room. Janelle technically is the only LA3 in that section now. I mean, she won't be in a couple weeks, 'cause. We just did LA3 hirings and somebody else is gonna be promoted in that section to another 3. But you know currently with the work that she does and the space that she needs to store more, you know, documents and stuff like that? It seemed like a natural move. I mean I wouldn't even have thought twice about it to be quite honest with you.

VM So your first? No, I don't wanna put words in your mouth that you - You didn't think -*Oh my gosh, that's against what the e-mail said?*

TW No, not even remotely close.

VM So in this narrative, and I think because I read a couple of statements now, I understand that Janelle was upset. Did you observe Janelle after she was told she couldn't move?

TW Not immediately after because I was in Melissa Engler's office the whole time. And so I was just sitting in there. This whole incident took place. I stayed in there for a little while and then I left and I think by that time I want to say Janelle was either in Tonya's office or Constance's. She was somewhere else. I don't where she was, but I mean the report was that she was crying somewhere and very upset by it.

VM Did you witness her crying?

TW I believe by the time I had talked to her, I don't know if she was actually crying at that point, but you could tell she was emotionally very upset.

VM Have you seen her like that before?

TW No.

VM And something you just said a moment ago is that the “report” was that she was crying. What report are you referring to?

TW Yeah, I think, well, not a report like somebody had said that she had been… I’ll use the correct terminology here, but somebody had said that she was upset and had been crying. I don't remember who. That I don't remember who that was, though.

VM Just one person? Or did you hear for more than one person?

TW I don't, I don't remember. There was a lot going on, so I'm not, I don't remember, to be honest with you.

VM At some point you decided to come to HR…

TW Yes.

VM …to report the event. Did you have a conversation with anyone before you made that decision?

TW Yeah. Melissa Engler, 'cause. You guys weren't part of the initial call, but we called Melissa Arnold. Together we are in the same room when we when we called Melissa.

VM Do you know when that was?

TW That was Tuesday morning around, I could tell you 'cause I sent her a pop up first. I sent her a message at 10:27 AM on Tuesday and then she called me and then I called her back. So maybe we ended up talking at like 10:40 maybe.

VM And the time in between is that just because you had time to think about it, or like you went home and, I hope this didn't happen -but you're like, obsessed, or like it kept creeping into your brain. And you're like, this isn't right? Or what transpired in that time?

TW I think maybe a little bit of everything. And so I feel like, one: obviously according you know, you guys have read my narrative. This has happened before.

VM OK.

TW And so this isn't something that we're not accustomed to at this point. And I know other people have gone to HR in the past for other stuff and it never really results in anything. And so, you know, and I've never come to HR for anything in my life. So, I've worked here almost 11 years. I don't. You've contacted me, but I have not, I have not contacted you.

VM Right. OK.

TW And so I went home, you know. I don't know. There was just something about it just felt so different. It felt so like direct, and it felt like, you know, the three of us were really getting attacked for something that, you know, we didn't do anything, you know, like, and I think it was different because it was in a public setting. Yeah, the door was closed in an office, but I don't know if you guys know the layout of the office, but in the office that we were in, which is Melissa Englert's, it's like right next to the front counter and in between the front counter and the door is the financial section. So it was a very public incident that took place and I think just kinda all of those factors and just I I think for me for so long now, I've tried to battle between like, you know, doing what's right and doing what's just gonna get me through the next day or the next week or the next year. But you know, these incidents keep happening and at this point, I think it's time for me to do what I believe is right and that's to report this. I I don't feel that anybody should be treated this way. And I think this this blow up was, you know, the last straw for me. And I told this I think, Tara, you were in the last one I was in. And I told you that me being a part of these investigations is the beginning of the end of my career here. Like you see all of these people who have brought this to people's attention, they don't work here anymore. They just don't, and it's because of this. And and now we're here. And and now I'm coming forward to give you guys what I have, you know, and it's really hard for me.

VM No, I thank you for that. Thanks for coming forward. And I hear from you that it is a difficult thing and I understand that it is a difficult thing. And to live in uncertainty, you know, is also not a good way to come to work every day. So let's go back to the incident. As painful as it is, and I want you to, to the best of your abilities, and this is entirely in your opinion: Assign blame to what took place - Who's at fault?

TW Initially Tonya, to be quite honest with you. There was no reason that this had to even be a thing. Like, people make mistakes or they overlook emails. You know, there's there's ways to handle things. You know, first thing in the morning so you see somebody doing something that you don't think should be done and it's not even a malicious thing. It's not swearing at a coworker. It's not doing something vulgar. It's it's just moving desks. That's an easy conversation. That's just a: *Hey, Melissa, Tyler, Whitney.* Whoever you know, *I see Janelle's moving*. You know, *we did send an e-mail out, I think I think at this point we should just wait and just, you know and just have her stay in her spot*. You know, *we're still trying to hammer out the construction piece and then we can figure it out there.* OK, great. Let's go talk to her. Done. We're done. That's a 2-minute conversation. Instead, she witnessed Janelle moving her stuff she came flying into Melissa's office. Started, you know, aggressively telling us about an e-mail that none of the three of us of us even recalled because it was so insignificant. Obviously, we wouldn't move people during, you know, before construction, just for construction sake. We would wait for that. So, a retirement is different. This is something I'm sure was thought about months ago. You know, this e-mail came out on Wednesday, so a week ago, you know, but it's just an oversight. So, Tonya initially is to blame for the reaction and then obviously Constance took it to another level where, you know, she's yelling, like, literally screaming at us. And it wasn't even. And. And here's the the biggest problem. Constance is not even yelling at us about people moving desks. She's not even yelling us about the incident. She's yelling at us about the comment made by Janelle saying that Janelle thinks that Constance and Tonya hate her. What does that have to do with me? That doesn't have any…

VM …I'm sorry.

TW …That doesn't have anything to do that has nothing to do with me. That's insane. Like the three of us have nothing to do with that. And so, the. And I put it in my narrative to the topic of the actual issue that this was coming from was never even addressed by Constance. It was this like, you know, I hate to say it, but this victim mentality of, you know, *everybody's against me. The world is against me.* That has nothing to do with me. I didn't say I hated you. I didn't do any of this. I'm sitting here, I'm eating my oatmeal trying to figure out what the week looks like so, and to be so aggressive and so just so like over the top about it to the point where employees in the office can hear individual words that you're saying in an office with a closed door. Like, that's a that's a safety concern. That's emotional and that's abuse like and at what point do we go, *Oh, OK*. Well, we're not going to do anything this time. I mean what? What? How does what is? Where is the escalation? You know, I mean, I like at what point does it have to escalate? Does somebody have to be physically assaulted? Like that's feel that feels like where we have to go like that that for me to actually like, get like, *Oh yeah, now I feel scared.* I mean that's that's unreal. Like I'm trapped in an office with these two people yelling

at me about an e-mail that I have nothing to do with, and I don't even remember with, about people who hate you. That also has nothing to do with me like. That's why. How do I do I have to come to work and do that?

VM Do you have an idea of how long this event took place between the time Tonya came into your office and then left and Constance came in or?

TW I don't if I if felt like a lifetime, but I this week has felt like, you know, a year at this point. I don't know. It all was just kind of a blur, you know. Maybe it was like right at 7:30 on the dot, and it was probably, maybe 10 minutes? 5 minutes? I mean it was. You know, it was a really brief moment in time. You know, Tonya came in first and then left, and then Constance and Tonya came in after that. Tonya slammed the door behind her. You know, and that's when Constance started, you know, yelling and crying and and screaming at us for this stuff, you know, so. And then she didn't get very far into that conversation before she just said "I don't need this. I'm leaving" and then stormed out. So yeah, I mean, it could have been 5 minutes, maybe 10 minutes is my best estimate.

VM So have you seen that behavior from Tonya before?

TW You know, in in person? No. She does…. There's like an aggressive tone to some of the emails that she sends to specifically the three of us asking and demanding for stuff. And then and she does get really irritated when, you know, kind of like put Constance… Like where, I don't want to say we *push back* - but like part of our job is to you know. We hear about these new policies or procedures or, you know, things that that may be changing. And we have to question them, right? Like not in like a malicious way, but it is part of our job is to say, *have you thought about this?* You know, *what about this angle?* Like, *have you have you vetted this all the way?* And they're just always mad or annoyed when we do this. Like we can't - like feedback is not an option for this. So for with Tonya, I would say no, I think there was maybe one other incident where I remember that she slammed her office door for some reason. I share an office not in office but like like where I'm looking like right here. There's a door that goes into her office, our offices are connected. So I do remember one other time when she, like, my my office shook because she slammed the door for some reason. So, I don't….

VM You know about when that was or what that was about?

TW I haven't. I really have no idea. I was just sitting in my office and just it was very notable cause like my whole office shook. I mean, she's only been here a year or so, you know, maybe six months ago? I don't. I'm not really sure on that one, but.

VM I know that she worked here before. Did your time overlap with Tonya or was she gone when you got here?

TW I heard she may have been a judicial assistant in Superior Court, but I don't. I have never, as far as I know, have any interactions with her before her coming to work here. I know other people have known her in the past that had worked here for a long time, but I feel like my time did not overlap with hers.

VM In your opinion, do you believe that she's emulating Constance, and her behavior is starting to trend that way? Or did she start off this way?

TW Yeah, I would say it's just, it's continuing to trend in that direction. I feel like even if you know this is the first, technically the technically the first incident where she's been the aggressor, she's also stood by and watched us just get absolutely ripped apart multiple times. To me, that's just as bad, you know.

VM And when you say that, you mean from Constance?

TW You're yeah. Yeah. Those other two incidents that I put in my, my narrative. She's sitting there watching us getting read the riot act and she's she's either also thinking that and they're having conversations behind closed doors that that mirror that, or she doesn't agree with it and she doesn't say anything. And she's letting us just getting ripped apart for no reason. It's it's it's very bad.

VM Who did you report to before Tonya got the job?

TW Emma Gaddis.

VM And is Emma - is she one of the ones that left her Pierce County, or did she have another job with Pierce County?

TW No, she's she's gone. She works for the Court of Appeals.

VM And how long did you report to Emma?

TW For however long she was a Chief Deputy. I'm not, I'm not sure. Before that, she was similar to my role, where she was a Legal Processing Supervisor, so I did not report to her at that time. We didn't have a Chief Deputy for a long time, so I reported directly to Constance for quite a while. And then they filled the role with Emma. So I reported to her. And then she left. And then that was vacant again until Tonya got that job. So I there's, you know, there's a lot of gaps there where I just reported straight to Constance because we didn't have a Chief Deputy.

VM And do you know why Emma left?

TW Yeah, it was because of the work environment, it was physically and mentally ruining her, she took like a 50% pay cut. Like to go work and drive up to Seattle, two to three times a week, you know. And and that's, you know, I hate to just keep bringing these people up because I know they don't probably want to be a part of this anymore. But Emma Gaddis left for that reason. Chris Hutton left. You know, for that reason he he had to go through the same thing where he was the subject of an investigation. You know, and he got ran out of here. Justin Joyce didn't like the way he was treated, left, took a lateral move with District Court with this for the same exact pay. Amanda Perez left to be, you know, to get out of here because she was, you know, entangled in the financial issues that we had in the last couple years. Who else? I mean Andrea Kelly. You know, I mean, she she was she interviewed to be the Clerk. And then

she got ran out of here like she's the nicest person I've ever met in my life. And she was. I mean same thing; like she couldn't take it anymore.

VM You had mentioned on that spreadsheet that you sent to Tara that some things you needed to explain, or the reason they left, you needed to explain? Do you have that, and can you tell me more about that?

TW Yeah, I have it. I have it pulled up so I just kind of managed it after Emma left. So you know, there's some names on here and you can see by like the service time that they were only here for like a month for, you know, not very long. So I don't know why those people are on here, but I just wanted to give an accurate reflection of. It's not not every single one of these people left, you know, either before or after Constance because of the environment like some of these were just extra hires or summer hires. So I just wanted to make sure you guys had the full scope of, I just don't want you just pull the spreadsheet and go, *here's before. Here's after* 'cause that may not be entirely accurate.

VM So you had conversations after the event with Melissa? Did you engage in conversations with Whitney as well?

TW Yeah, we were, I mean, we were all three a part of it. So yeah, we've yeah, we discussed it.

VM Do you have knowledge that you or others are you looking for work elsewhere in Pierce County or outside of Pierce County?

TW I have, yeah.

VM Inside? Or both inside Pierce County and outside?

TW I would say both and it's just getting worse and worse. You know, I love. This is the thing – like, I like working here and I think other people do too. But then you know this environment gets… I like the work, but then the environment is just too much to handle, you know. Luckily for me, I have a good support system at home. You know, I have a wife. You know, I have two kids, so I have a lot of stuff to distract me and I have people to to speak, you know. Openly about this stuff, you know, but like everybody I know is like, *why do you still work there? Like why? How come you are taking this kind of abuse?* Like that's not the, you know, I make decent money, but the money is not worth it. Like if I die of a heart attack at 40.

VM Knocking on wood when you say that.

TW Yeah, but it's like, you know, the the level of stress and this this place didn't used to have that. I mean, that wasn't a thing. Like, yeah, it's stressful 'cause. You're working with the public and you know, there's, you know, very, you know, sensitive information and and and situations going on. And that's fine. We get that. But the inner workings of the office should never be like this. We don't work in corporate America. We're not in sports, where you're in a locker room, getting yelled like, that's not where we are. And even then, it's not OK, but specifically here like like I said in my statement, none of this environment meets County, Pierce County values or standards like it just doesn't. And you know, to be quite honest, this is the only thing

that this whole building is talking about right now. I mean, we are getting people from Superior Court from, you know, all these other departments asking us if we are OK. I mean, how ridiculous is that that, you know, people feel that bad because it was in such a public setting and so many different people heard it. Then me, Whitney and Melissa, you know, we know how to internalize it and we just laugh it off and and try to cope with it because it's happened so many times before, you know. And other people are like, what? *How, why? Why are you doing that?* You know, and people are like, legit concerned for us around this building because of what took place and and now knowing that, you know, there there are other potential, there are other issues involved too. It's like. Yeah, I mean, this is gonna be a huge deal.

VM Other issues involved too, referring to what?

TW Oh, like past incidents.

VM So have you had ten different bosses since you've been here or five? Or what's the number?

TW How many different Clerks or?

VM That you reported to directly.

TW Umm oh, I don't. So you're talking like the whole history. Like I really only reported to Chris Hutton for a long time. And then when I got the, I think I reported him the whole my whole time here until I got the Legal Processing Supervisor position. And then I reported to I think to Constance. Because Kevin was gone by that point. And then Emma, and then back to Constance. And then Tonya, now I guess. Yeah. So what is that?

VM So was Chris like "Tonya" – Chief Deputy?

TW He was my like my position. He was a Legal Processing Supervisor.

VM Oh, I got it. OK.

TW Yeah, no, Dan Ladenburg was the Chief Deputy before Emma, but then he retired, like in May of 2020, and that position stayed vacant for a long time because of potential budget issues. So they thought they were gonna have to figure out something with the the money on that.

VM So you identified only 3-4 people, really, that you've reported to directly your time here.

TW Yeah, that sounds right. Yeah.

VM Can you grade them as far as from best to worst?

TW Oh, Chris Hutton was by far and away the best. He was #1 for me. Yeah, he was my first my first supervisor here and his thing is was public service. You know, he was there for the people. He wanted to make it better. He wanted to make it more accessible and easier, you know, and I mirror those those values, you know. And now I have the department or the positions that he once oversaw. I ended up taking over when he left. And so I've tried to, you know, continue that that legacy and try to, you know, serve the people of Pierce County. And that's what he was all about and that's. You know, that's everything that that this office should stand for. Yeah.

I guess then Emma would be the next one, you know? But she we didn't have a lot, a lot of time together. And, you know, she was going through all the same stuff, essentially that I'm going through now. Or she was having a hard time with it and then I don't know. Constance and Tonya at the bottom tied, I guess.

VM Sometimes in these investigations I ask a question like a hypothetical question - Is the relationship between you and Tonya - Is it cracked or is it broken? If it's cracked, it can sometimes be repaired. And broken, usually cannot be.

TW I would say broken.

VM 'Cause she's been here for a year?

TW I would. I mean, I think this was the final straw. I think that's this was the final break, you know for me. How am I supposed to operate in this place like I have have two supervisors essentially who I don't know, don't like me, think it's my fault that this office is divided, you know, feel comfortable screaming at me or just letting me get screamed at. We have a department our, a management meeting on Tuesday next week with me, Melissa, Whitney, Constance and Tonya: how am I supposed to go to that meeting? Like, how is that even safe or allowed you know that what, so I can go get yelled at again? You know that it doesn't…

VM …When is the meeting?

TW Yeah. So it's, it's on Tuesday. We have back-to-back meetings. We have an all-staff meeting. Tuesday the 11th. We have an all staff meeting at 8:00 and then we have an hour-long Operations meeting from 9:00 to 10:00 that same day.

VM And I'm going to assume that, but I'd still like to ask the question: is your relationship with Constance - Is it cracked or broken?

TW Broken as well.

VM And when did that happen?

TW I don't know. I mean, I guess this would be the final push for me as well. You know, I I try to play nice and keep a straight face and, you know, just do my work and go home. But you know, it's been it's been fractured for a while. You know, I think anytime you feel like. That's that's the way you should address somebody you know that does not. That doesn't sit well with me. You know it's not. That's not somebody that I feel like is a true leader. And you know now with this and obviously being comfortable with with scream, you know, yelling and screaming at us, really in plain sight and in plain view. Like you obviously have no, no respect for me. You can sing praises from the rooftops, you know, in every meeting at this point. And won't believe you. That's just, that's just the facts.

VM Have you had any subsequent conversations with Tonya about this event?

TW She's gone. She's she's on vacation. So she actually left - was it that day? No, maybe it was Tuesday. I think Tuesday she left early and she's been gone. She doesn't come back until

Tuesday. That's the only reason I'm even comfortable doing this interview in my office is because she's not here. If if she was here, I'd have, you know, we share a door. I would have to go find a corner or go use, you know, like Whitney's office, which is out in the hallway or something. And like, you know, I can't take any kind of calls like this. That's why I have my headset on. I literally wear my headset in and office with the closed door. So other people can't hear what the nature of the conversation is like. You're just living; I'm living life in constant fear of retaliation. And I spent a lot of time here, you know, I put that in my narrative. Like we spend a lot of time here. You know, we are here five days a week. Specifically, me, Whitney and Melissa. We get here early. We barely ever take a full lunch. You know, we're always here. We're staying late. If other employees have to stay like we spend so much time here and to have to ask the question, *oh, is she here today? What's the mood like?* How was that allowed? How is that OK?

VM Do you know if Melissa is actively looking for other employment.

TW I don't know. You'd have to ask her about actively looking, but you know she's been here for like 20ish years. She's been here for a long time. Every conversation that me and her have is, you know, geared towards, you know, I want to retire from here. I want to retire from here in the last couple days. Is the first time I've heard her say: *I'll go work literally anywhere else. I don't want to be here.* You know, and you can confirm that or or ask her maybe in more detail on that, but. You know I that's this is the first time I've ever heard…. You can tell like I'm not, I'm not sleeping. Like Melissa is not sleeping. You know, Whitney is not sleeping. We all look like hell. You know, we look tired. We look absolutely just beat up. You know we're this is like physically. I'm like, physically. I'll trying to like figure out how to navigate this this situation and then thinking about if something doesn't happen. And then I have to go back and work and be subjected to the same environment. But 10 times worse, probably because nothing's getting done. Like how am I supposed to continue my career here? You know, I was easily going to be here for 30 years, maybe 40 years, you know, because I started here at 25. And so like, I could have potentially been here for 40 years and now 10 or 11 years in whatever it is, you know, I'm thinking, "Well, had a good run. I'm done." You know, one way or the other, I'm gonna get forced out, or I'm gonna just leave because I can't take it anymore, just like everybody else did.

VM Do you believe that Constance targets employees?

TM Yes, I put that in my statement.

VM Do you have any idea why?

TW Because I think she wants to control the narrative of this office. I think she wants Kevin's people out. "Kevin's people," just people who have been here for a while, and she wants to bring in newer people, who you know can be, I don't say manipulated, but can be spun to thinking that everything's great and she's doing all these good things for the office.

VM So the office, the Clerks, the court, your office has been in the papers in the past. And it probably will be in the papers in the future about processes and probably some legal things, deadlines and processes that aren't being met. Who's to blame for that, in your opinion?

TW Constance. you know, and I have I have a little bit different perspective on that because I'm the public records officer for this office as well. And so, you know, not only do I just hear the rumors of this, but when that News Tribune stuff came out like, I was the one who had to facilitate all that. Like, I tried to make sure that everything was done properly and I had to deal with Kevin doing public records requests, about other financial stuff that he knew wasn't getting done. I had to deal with other former employees doing public records requests and it's like it just, I know it's part of the gig and that's fine, but just the it's just a constant, just a constant beating. You know, for me 'cause I'm. I'm the only one, essentially, who does that stuff and I try to make sure that stuff is not public. Like when somebody just submits a request, I don't go run around and go *oh Kevin, just submitted a request*. Oh, so I have to internalize all that stuff. You know, I have to keep that. And that's not even a part of that job description. That's just something that I feel is is right. But I've kept that job, and it's been tried to be taken away from me multiple times. But I have tried to hold on to that job because I know integrity is a huge piece to that, and I wanna be transparent whether it's a former employee or it's, you know, one of my frequent flyer requesters. Like, I wanna make sure that we're transparent. And I felt like if if that was given to somebody else that. That that role was gonna be manipulated as well.

VM Who's trying to? Who has tried to take it away from you?

TW Constance is mentioned multiple times to try to give it to somebody else and use the use the excuse of its *too much work. I shouldn't be doing it,* but in my opinion it's an upper level position like LA2, LA3, they shouldn't be dealing with that stuff. I don't think that's a part of their job description.

VM Has she said that? Did she give it to a person who was identified, or just an LA2, or what has she said?

TW Somebody else. I mean obviously that wasn't directly told me that was the reason. That's just how I've always felt about that.

VM Are you aware of the results of the most recent audit?

TW No, I'm not. Are you going to tell me? [joking]

VM I honestly don't know who it's been communicated to. I've seen a summary, but I didn't really understand it so.

TW Yeah, it's that's not my space. I don't know a ton about it. I do. I always assume with that you know when when Justin left and Kevin left, they were the two kind of financial gurus, you know, they had, you know, Kevin obviously had been here for a really long time, gone through a lot of different audits. So you know, when. Those two, when those two left. It's, I mean, safe to assume that it's gonna be, you know, tough sledding from from there. But I I I knew they

were going through an audit. I didn't. I didn't know if there was findings or they were good, bad, indifferent. I I'm not sure.

VM Did you work with Danielle Scott much?

TW Oh yeah. For a brief minute. Like she was only here for two months, I think.

VM What was the oof for?

TW Because it was just complete chaos from start to finish, she felt.

VM And who's to blame for that?

TW I I would have imagined Constance, and obviously I'm not in the room with those conversations, but I felt like she was being fed. She, as in Danielle, was being fed that that people were colluding against her to not be able to do her job properly and specifically, Amanda Perez and Justin Joyce, we're not helpful in transitioning her to that role.

VM And is Justin is still with the County and Amanda is too, right?

TW That that. Yep. Amanda is a judicial assistant and Justin is the financial Fiscal Services Manager for Superior Court now.

VM So let's go back to the event where Tonya and Constance are in Melissa's office. Did any of the three of you try to say anything or get asked questions or get clarity or? Because you're kind of, in my word, no one else's - but like afraid?

TW Yeah, there's, yeah. I mean, we're and and we know there's no point because we've done it in, you know, in in one of the incidents that I outlined. I think it was the maybe the October 4th meeting. At one point during that meeting, Melissa spoke up and said we're we're not against you. We're not pushing against you, and Constance just lost it. Y*es you are. Yes you are. You're all against me. I I I do everything for you and this is the thanks I get.* And so it's like. Why you know, of course, like inside - I wanna stand up and be like: *No, no, no, no.* Like *this is not OK. This is not what happened.* You know, like in that same meeting we were talking about, you know, just a process change or potential process change and you know, Whitney has a financial background and I covered the front counter space and so we had questions and you know and then we also had questions of I think I don't know if it's in the same meeting or not. I can't really remember now, but about Getting rid of all of the boxes in the records like the old files you know and we're not pushing back. We're just asking questions to have a better understanding and then you know it's *our* fault. *We're* the reason for the divide. *We push back. We do this. We do that.* So like you know, with this last incident. Why? What's the point? Why would I say anything? So just get yelled at more and then be the next target. That's, that's what I mean. It doesn't matter now. 'cause I am. But you know, like, what's the, what's the purpose?

VM Have you had any conversations with Janelle? Does she know that you went through this thing, or does she only know secondhand? Maybe she didn't witness it, but people have talked to her about it?

TW Are you talking about like? Does she know if I went to HR? No, I I have not really talked to her a whole lot. I briefly spoke with her. Maybe a day ago. I don't know what day is it? Thursday. So maybe yesterday. I kinda briefly spoke with her about, you know, she's really concerned about her job safety, about her being the next target. She had mentioned getting a lawyer. For whatever reason. I don't know how that works in investigations. I don't know if that's even allowed, but. You know, she's very she's very concerned.

VM Do you know why she got a lawyer?

TW I don't know if she heard I don't know what she heard or didn't hear, by the way. I you know, that's something that you would need to ask her. I did hear rumblings that she put together like a a statement like a a narrative of her interactions, because obviously she has the perspective of being in Tonya's office. And then after the fact, trying to go to and apologizing to her, to say sorry to Constance. And then there I think Nicole was in the office with Constance to take notes is my understanding and you know, Janelle was just trying to apologize, you know, she felt bad for. I think she just felt bad for, you know, maybe being the reason why it all happened, even though it wasn't, you know, wasn't her fault.

VM Do you know anything about the relationship between Tonya and Janelle?

TW No, I don't know. I don't know if there's a lot of any sort of real relationship there. I'm not sure Tonya's really built a relationship with too many people outside of her leadership team. There hasn't been much of an effort to mingle with the everyday people.

VM Do you know why Janelle got emotional?

TW Probably 'cause she felt like she was being attacked. That's I think that's a question for her, but I would assume because she felt like she was doing something wrong, and she was being attacked for it and she didn't really understand why would be my guess.

VM Give me just a moment to review my notes. Is there anything else, Tyler that you have for us that you want us to understand that we can consider?

TW I think my narrative pretty much captures my perspective of the incident that took place, you know, when I spoke to you guys, whatever it was, I think yesterday, you know, I felt like you guys were surprised that I had the wherewithal to take notes on other incidents that had taken place because I knew that we would get to a point like we are right now. And so I I mean I want you to know that this is very serious and I know you guys know that, but I want it to be very much known that I feel like something needs to take place and it needs to happen immediately. Like there's there's a huge safety concern for me personally and for other people in this office. If something is not done by somebody like immediately, like right now. So yeah, it's been very hard for me. I think I'm pretty chill. Pretty mellow, pretty put together for the most part. I literally watched a juror die in the parking garage and this has been a harder experience than that. And that's like, you know, like this is like absolutely tearing me apart.

VM OK. And in your narrative and today when I asked you the question this do you feel that Constance targets people - Is there any basis for the targeting? Or is it just Kevin's people? Like, does she target men more than women and then more than men?

TW I think it's just. No, I think it's just a more tenured status. You know an example of that would be. So, Becky just retired on Friday. That's whose desk we are discussing currently. She's worked here for 30 years, put in 30 years of work. You know what recognition she got for that from Constance? Nothing. She didn't come over on her last day to say thank you. She didn't come over to say *congratulations. I'm happy for you*. She didn't do anything. Then you don't have to do anything but just, you know. Yeah, right before Becky left, she never even she never even came over. She gave Kelsey, who moved to Jury Administration -she came over and gave her flowers and said congratulations, who sits right next to Becky, by the way, like, literally right next door. Didn't even acknowledge Becky. Like she was some sort of criminal, you know, like she had done something so egregious that didn't even warrant her to say hello to her. We had a summer hire a summer intern last year and she was here for like 60 days and Constance like basically threw her a parade when she left, I mean.

VM What was the name of that summer intern or what was the name of the summer intern?

TW Uh. Her first name was Molly. I don't remember her last name, 'cause. She was not here for very long. So yeah, I don't. I don't remember.

VM OK.

TW You know nothing against her, but it's, you know, it's like that's the stark difference right there. Like somebody who dedicates their life to public service, you know, and gets nothing gets not even a head nod.

VM And who is it that put up decorations and stuff?

TW Janelle Janelle is our…

VM …Who is the party person?

TW Janelle is our party person. Yeah. She puts a lot of effort in, and a lot of her own money, and a lot of her own time into, you know, we used to have a morale committee where it was made-up of like five or six employees. And then we used to plan events and stuff like that. Birthdays, holiday stuff. That kind of dissolved over time, and Janelle kind of just took the reins on it. Something that she likes to do. So she's very generous in in celebrating people and, you know, getting people cards if something, you know, if somebody's retiring or somebody's moving into another office or, you know, whatever. Like, she's a very generous, very nice person. so, she usually spearheads all of that stuff.

VM In your opinion, if any of your words that you've said to people get back to Tonya - do you have any idea who that's coming from? Not you specifically, but it could be Whitney, it could be Melissa?

TW Who would like who would essentially be the person to go back and tell her?

VM Yeah, we're trying to figure this out. She hasn't been here long. There's an issue with an employee Janelle who's been here three times as long as Tonya. And then Tonya, if things are getting back to her, like certain words she's hearing, you know, people are saying about her - who she has established relationships that would get back to her; that would relay that to her? I guess the simpler question is who she's close to in the department?

TW Yeah, I mean, I don't know, to be honest like I said, there hasn't been much of an effort made to establish connections with the majority of the office. You know, she has the lead, you know, Constance, Tonya and Nicole and Shanika. And I guess Casey would be, you know, Casey's Constance's assistant. Yeah, Casey's not part of that leadership team, but obviously by default I'm sure she's, you know, entrenched in that process, but you know that leadership team would be the closest? I believe she would be with umm and then include Casey and then you know I it. It seems like anybody who would do something like report back to one of the one of the two either Constance or Tonya, usually it would go to Constance. You know Constance has people who she's built relationships with. She has, you know people who house sit for her, that work here. You know that she's kind of entrusted and made it…

VM Who housesits for her?

TW Brenda Clerk. I mean, there's individuals that you know and that to be like, obviously this is not a part of this investigation. But you know, I think you guys are gonna have a big issue with the way the filling of the LA3 positions that we just had took place. There's rumblings of union grievances and a bunch of other stuff that people are not happy with that process because of, you know, how it how it was portrayed. Again, the divide in the office. We, as managers always do our own hiring, right? We didn't do it. We had three open LA3 positions and we got completely pushed out. We didn't do the screening. We didn't do. We didn't do the initial interviews. We didn't do the actual interviews. We didn't have a decision. We met with Constance and Tonya a few different times, but they didn't take our advice on who should. Who's ready? Who's not? And so there's a lot of people.

VM So who's was hired?

TW Gloria Berry. Jaliyah Glenn-Britton. Yeah I think that's how the order on that. And Brenda Clerk

VM And you said they didn't follow our advice. What was your advice?

TW Well, I would. So, I would have said Gloria was one of those people. She's she's great. She hasn't been here for very long, but she has a lot of experience in other Clerks offices around the state. I would say there was another individual, Arial Copeland, who is by far and away one of the better candidates in there, the third one, would have been a wild card kind of would have depended on, you know, where we saw the fit. But you know, it was weird because we had these three open LA3 positions. You know, we told them where we thought the need for those three to go. We were specifically told that the Docket section does not need two LA3's in there because Becky was retiring and Janelle is already a LA3, and we were also told specifically that Constance did not think Brenda Clerk was ready for a role like that or and by

her own admission wasn't ready for a workload like that, and then all of a sudden, she got hired. Anyways, so we're like what is what is happening right now? And you know, it's too bad for these people too, because they just got promoted, you know, supposed to be this great happy time. Congratulations. And it like nobody's happy about it. Nobody's happy about the process. You know, I feel bad for the people who have been hired because, you know, they almost, I think, feel like they've done something wrong. You know, they're just trying to better themselves, too. So, it's not, you know, it's not their fault. But, you know, it's just. It's every step of the way. Is something like this, like just being a higher me and Melissa, you know, Whitney's obviously a little bit newer to the role. Me and Melissa have hired like half of the people in this office, and I think we do a really good job of it like we have done it so much because of the turnover, and I think we've hit on a lot of people that have stayed here that have are great workers and then we don't even...

VM Whitney wasn't a part of process at all?

TW No, not all three of us. We were not a part of this process. We, with the caveat we did meet with Constance and Tonya a few different times after they had already kind of, you know, gone through the process here, processed there, you know, to kinda ask us our opinion on where, where we think people fit and where we think people or positions fit. But like I said, like they didn't really listen to that. Like, I needed a front counter worker because I lost two people, and usually we had six. Now we have four. I needed at least one, and I didn't even get that. I lost two positions in a matter of minutes because the person they hired; they deemed him as a floater position instead of a full-time front counter. Like, that's not what I asked for at all, and told you that that was not… I need a person full time person in this role.

VM Did Tonya or Constance offer any explanation or knowledge that in the past you have been involved but you were doing it different this time?

TW Nope. We just were cut out of the process altogether.

VM Well, I wanna be respectful of our time. I appreciate you meeting with us today. I wish I had the power to make an immediate change. That is not my position here, but I will be writing a report and submitting that upward, but we have a lot of other people to talk to, so I would appreciate it again if you do *not* talk about this to anyone, you can call us if you have a question, you know, certainly talk about it at home, if you know can sit down at the table and talk about it and then not think about it. But also, I know I talked about EAP, and they are a great provider of information on how to cope and navigate in difficult waters. But I am sorry that you're experiencing this, and we will notify you when this investigation is over.

TW Thank you. Can I ask a follow-up question? I know there's a lot of people that need to be addressed. Like for Tuesday, I mean, this isn't gonna be done by Tuesday.

VM No, I'm gonna bring it up, about your concerns with Tuesday.

TW I don't know how to operate in here right now like I'm just trying to stay busy and luckily it's been really busy in here. But you know, I don't know what to do. and I don't know if, and I

don't know if like Constance even knows about this yet? Like, I feel like I'm just like dodging people left and right. Like, on Tuesday, I had to go over there and talk to her about something, you know, completely unrelated to this. I had to bring somebody with me. Just made an excuse about bringing somebody over there because there's no way I'm going over there by myself. But how am I supposed to continue to just randomly bring people into, you know, if she says, *hey, I need to talk to you about this*. Like how am I supposed to? You know, I almost went home yesterday, like, physically. I'll just like. What am I supposed to do? Or Tuesday? Whatever day it was, I don't even remember like. It doesn't make any sense to me like I don't how to. I don't know how to maneuver this without being weird about it like I'm already I feel like a little awkward, you know, at times. And so it's like what? How am I…

VM Do you have the same concern about Tonya? I know she's not here right now, but when she gets back next week and you have to go into her office, do you have a plan?

TW Yeah, because I'm 'cause I'm afraid. I'm afraid if I'm in there by myself and I don't have any witnesses, I't's gonna be spun that I've done something wrong, that I was aggressive, that I was, you know, that I was the aggressor in that incident. Luckily, for us, we had the three of us there to witness this incident and we have, you know, we we all experienced the same thing and other people heard it. So we have all these different witnesses. I don't. You don't get that luxury sometimes when you're in a meeting one-on-one, you know, like. How am I supposed to do that? That and not be and not be weird about it, you know like.

VM We'll continue to talk about this in human resources and fortunately we do have a couple of days, but we will get back to you with any suggestions or anything that we can do to make Tuesday either more comfortable for you or not happen. Not sure what we can do.

TW Yeah. Yeah, I'm just. I'm very clear. Like once she finds out about this. It's gonna be absolute mess and I, me and Melissa are sitting ducks because we are bringing this to your attention.

VM Not Whitney, though?

TW Well, Whitney technically didn't, I think she will be eventually. Specifically, me and Melissa are bringing this in. You know our names gonna be written all over. This is gonna be given to people. You know it's gonna be requested, and like we're we're hosed. Like there's no way about it.

VM All right. Well, like I said, we're gonna continue to talk about this and we will get back to you probably tomorrow and or for sure on Monday with whatever we can do.

Closing comments– end 11:04 a.m.

March 11, 2025 | Meeting with Janelle Olsen and 117 Rep 3:30 – 4:15 PM

Whitney Long (WL), Vicki Moll (VM), John Howell Jr (JH), Tara Hallam, notetaker (TH)

Introduction, admonishment and overview

VM So let's go back to Monday, March 3rd, in the morning. What time do you usually get to work?

WL 7:15-7:25

VM And is that what happened on Monday the 3rd?

WL Yeah, my office is in the hallway, though, so I do stop in here and I'm outside of the actual 110. And I go in there to get, like, my stuff out of the fridge. So so yeah I would make my way in there eventually to grab like my V8 drink and some water/

VM Iis 110 the Clerks Room?

JL That's where my office is located.

VM So where is Melissa's office?

WL There's this like in the middle of the Clerk's office. It's like a we call it the fishbowl, because it's just like, right in the middle of the whole office, and it's all windows.

VM So I don't want to put words in your mouth, but up until the point where you got your V8 maybe and went into the Melissa's office, everything was normal?

JL Yes

VM Did you get there before or after Tonya?

JL I think Tonya was like coming in at the same time as me.

WL She still had her stuff on and Janelle was there. I kinda just grabbed my stuff and I was, you know, making my way to Melissa's office, passing and it was literally like 1 minute after that. Before things started so.

VM What happened?

WL So at first it was just Tonya. So she came in and she's kind of worked up already. Like immediately. And they kinda asked Melissa if maybe it was meant for all of us. I'm not positive, but it's Melissa's employee, so I would think it was more geared towards her. Like *is Janelle moving?* You know, and I think Melissa said, *yeah*. And then and then she kind of like was bothered, you know, she was kind of amped up at that point already. So, saying that s*ince you guys an e-mail like nobody's supposed to move* like and I was like, oh, you know, like we kind of were like, I don't know if anything was said at that point either. We kind of all just sat there 'cause. It was like she was just kind of like, really amped up and didn't seem, you know, necessary, I guess. And then, I'm trying to think, I think that was all that was said in that little

spurt because she walked away and came back again later. Like, oh, maybe she mentioned like Jason was supposed to be moving there, our IT person. Because our our office is going under renovation soon. So she I guess she was saying that Jason's supposed to be moving in the spot where we just had somebody retire. Becky, who she vacated from on Friday. So I think that's what she said at that time, *Jason's supposed to be moving here.* And then she kinda walked out. So yeah. So that's what happened. Like immediate, I think it was. I think it was literally like 7:33 by that time like we had. I literally just walked in her office. I was in there for like a minute before that took place.

VM So what happened after she left?

WL After, she left, I think we were all just like, oh, you know, like *what happened there* and then we were kind of. I'm trying to remember, like, was it, you know, something for people not to move? We were just trying to figure out, you know, like why she was maybe so amped up about it. It was kind of like a blur. Like I said, everything so fast. There was an e-mail sent. That e-mail was really focused on the renovations that were happening. So, you know, even after reading it, it was kinda like, oh, you know, it could have been misinterpreted that this is regarding the renovations. You know, nobody knew. You know, until we hear about the renovations, this one seemed kind of different because it was like somebody retiring, one person, just, we didn't know that Jason was moving there. That was never expressed to us, not that it had to be, but in every other meeting about the renovation it was told to us that Jason and IT, so everybody, IT was moving across the street to the 945 building, So we just didn't have that piece of information. So yeah, that that was probably the first leg of it from what I remember.

VM Did you hear her…?

WL …And we were kind of like wondering, sorry, we were kind of just like wondering like, whoa, you know what? Like, why was she so amped up? But I guess like the next piece that came kind of explained why she may have been.

VM Did you hear her conversation with Janelle at all?

WL No. Like I said, I was in passing. I kind of heard like I maybe heard like *your supervisors were supposed to say something*, but that's all I heard cause I didn't stop. I was literally grabbing my stuff and just walked, you know, right? I had to walk through them to get to Melissa's office, so I just, you know, walked by. And that's pretty much all I heard while walking.

VM To the best of your recollection, was it said in a normal tone?

WL It seemed a little like she was bothered. Like I said, like like kinda, you know, amped up and bothered about what was taking place. It's like *your supervisors were supposed to tell you*, you know, like. Like I said, just kind of like amped up like, why are you so bothered about something? Seems like small, but you know, could have been a miscommunication or didn't bother to ask, like: *do you guys remember this going ou*t or you know, could you go? You know, I don't. I don't know. We're just seeing, like, very bothered by situation.

VM Do you remember receiving the e-mail?

WL Yeah. It was the last thing, and it was the last thing sent in the e-mail. That's kinda why I don't think I don't remember. We're kinda all spread really thin, too, like we're working managers, so we're covering when people aren't here, which is almost every day like I had an employee out for a month that just got back on Monday. So I was, you know, basically an employee for a month also doing my duties too so. We're trying to put in and like I said, even talking about it. Like in the small time that we had or after it was like it was something about renovation, so it's kinda like geared towards that, so it could have even been misinterpreted even in that sense.

VM Did you respond to email?

WL I couldn't tell you if I did. Most of the time I'll just say like 'will do.' Something small, but I don't recall if I ever did.

VM So Tonya left, and then how many minutes before she returned?

WL Maybe like three, it was pretty quick. No, I mean don't quote me on exactly 3, but it was pretty. It was pretty quick.

VM That's not what we're here to do. We're just, we know it was fast.

WL Yeah, it was. It was fast, yeah.

VM So then she didn't return alone. So tell me more about that.

WL Yeah. So she came. I guess Constance would have entered first because she was further in the office and then Tonya was behind her. And then the door kinda slammed. Whether that was purposeful or not, I don't know what, it did, it closed hard and then it just kind of like went off right away. Like yelling and crying mixture. Saying *people* I don't know exactly the wording basically to the degree of *people think I don't like them. I don't know why people around this office think I don't like them.* Very, you know, like, like I said, bothered aggressive, like crying mixture. I think, she said. That's when, she said, *like Janelle said, that we don't like her or feels like we don't like her. And then she mentioned another employee, Melissa Buckner. And Melissa Buckner too. I've heard that she thinks I don't like her*, and *I'm gonna get to the bottom of this.* Oh, that that kind of felt like she was insinuating like we have something to do with why people don't like her? I don't know. It was very like, I said it caught me off guard. Kinda weird that you would be like yelling and crying to us about people in the office not liking you like we have some sort of control over that. I don't know. I don't. But then it kind of just like ended as quick as it started, if that makes sense. It was kinda like a. That and then: *I'm not doing this today. I'm going home* as she was like exiting the office. don't think Tonya's said anything on that on that actual encounter. But I think that's pretty much. It was just a minute.

VM Did the behavior surprise you?

WL Ya like I said that they were just so amped up about, like, something that seemed like a miscommunication or could have been deemed didn't ask a question on like, you know, like what? Well, why didn't somebody tell her or? Why did you feel like it wasn't necessary to tell her? You know something of that nature, because like I said it, the e-mail that we received was more geared towards more of like the renovation talk. So you know. And then it could have just been like. Hey, can you go? You know, *friendly reminder, you guys received an e-mail. Could you go approach your your employee and let them know that we're not? We're not moving,* you know, b*ased on the e-mail that was sent.* It just seemed very amped up for something so small, if that makes sense. Like you don't want to make a mistake because that may be the result. You know a small a small mistake. Like maybe if some if people were problems and this was like an escalating thing, but like we're all really good, we're good managers. We're, you know, we we all get along. All three of us were we come to work every day. We hardly take days off like I don't think that we're like a problem team or problem children. That's kinda how it felt, you know, like like maybe I could see if, like I said, if this was like an escalation of you being bothered by people doing stuff, but. Like I said, like over a small communication it just went 0 to 100. And then honestly, like I don't know what to say. What do I say to that? I don't know if you're wanting to tell me this for me to comfort you or like I'm I don't. You know I didn't know what it was actually about at the end of the day. Like I said, it kind of seemed like it was insinuating that we like that, maybe we have some control over what other people are saying or doing?

VM Did you ever talk to oanya about this?

WL No

VM Did you talk to Constance?

WL I had to go in there for something. I don't remember exactly what I went in there for, but I did like, she did say that she feels like she's being disrespected and I I just said *I'm sorry that you're feeling like you're being disrespected*, you know, like, I get that. I mean that was your feeling when it, you know.

VM Do you know about what time of the day that was? Like an hour later or four hours later?

WL A couple hours later not, positive though. A couple hours later, not positive though. I had a question about some tasks that we were supposed to be with the applications so that's what brought me in there

VM How did she bring it up, if you remember?

WL I don't know how it was brought up. I think. I think maybe I just said, hey, you know, *I'm sorry about this morning. I'm sorry* that you know, *you're like you're crying.* I didn't think it was just like me just trying to like I had to go in there for something and she seemed sad and worked up. So I just, you know said, you know, sorry for like *whatever you encountered*, what you feel like and then she said *I'm just tired of like being disrespected* or something and I'm like. *I'm sorry that people are disrespecting you*, right? But I don't think that like, I don't know.

Like I said, I don't know what happened with Janelle, so I don't know if that's what she was insinuating on the disrespect or whatever. 'cause I we I didn't hear any of that. I mean, I know on our part. If she was meaning like the e-mail misinterpretation was disrespectful, she didn't elaborate on anything. So that's all that was really said.

VM You said when she said that, she seemed sad and worked up. Are you talking about in your in the meeting that you had to find out some information or the event itself in the morning?

WL Still. Prior and like I said, I had to go in there and I'm just going out with like, you know, *sorry for that you are feeling sad* or like she was crying, you know.

VM Have you seen Constance cry at work before?

WL I think there was a meeting where she was like talking to us and she kind of like got teary eyed. I don't know if she cried all the way. But no, I haven't really seen her cry. Besides that.

VM Do you recall if you were in a meeting that took place, probably the middle of February in a in a binder was produced?

WL Yah. And there was actually, it was pretty intense also. She kind of like was irritated that there was some binders circulating the office. They were like before our time they started and they just kind of stuck around and I guess she thought that they were all gone. But there was one that she found. So she brought it in the meeting. And it was in front of like everybody. So just like departments that probably didn't need to be involved, it was like in our you know. They called it the department meeting. I think we're not really know what they label it 'cause we have like other meetings where it's just us three and then there's other meetings where there's. Like you know, the Finance department Pretrial. So that's what we think this was.

VM Were you aware that there were one or more binders that were a topic in the last summer?

WL Now I heard that like there was two that she took. No, no, I think I just heard that, I don't even remember. Just like random. Oh yeah, she she found these and records and took them. And then I guess like I said, there was another one where I guess she caught an employee like fumbling it one day and then she went back there like later and found it. And if she, like, kind of went into, like, a story about a mom and a son, 'cause she found something in one, and and that's when she started to get, like, emotional teary eye. But it was intense. Before you know, it was pretty intense while she was talking about it. And it was pretty much directed at only us 3 like. And like I said, it kinda took place in front of a whole meeting

VM Was the binder find recent?

WL I don't know that she indicated. She just said that she found it like in records and she thought everything she thought they were all gone. And she found another one. And then she talked about like we need to change the culture around here and you know which I, I mean, I don't not agree with like, you know, there were things that were happening before our time that were still lingering here, those being one of them, I think. They're like, 20 something years old. They're still being so open and. And I I mean, I've worked for the clerk's office for almost

10 years, but I was in the Western State Division, so I've only literally been in the building since, like, April. Yeah, I think I I want to say that's I got promoted in March. Like actually my my one year was the day after this happened. So it was like March 4th. And then I before that, I had been the lead for Western State division. So I was actually housed at Western state for like 5 years until we moved over to the 945 building and then in 2024 of like I said, I think maybe aprilish. Then I came into the office and before that I mean I I was totally out of the office.

VM Have Tyler and or Melissa talked with you about the binders at all?

WL No, I mean, we all know about them because we've been like I worked in the Finance department prior to moving to Western State. So I was in the office for five years before I did go to Western State, so like I said, it's it was just something that that had been here way before our time. You know that just kind of still was here.

VM Yeah, the reason I'm asking so many questions, I'm trying to figure out why February, why that meeting?

WL I think that the employee that found it or that was fumbling with it that she caught, you know, like. So what what had been said is that there was somebody in the back in records and they were, like fumbling with something and like basically looked like they were trying to hide something and then I don't think she made a big deal out of it then. And then she went back later to try to find whatever you know, the person was fumbling with and actually found what it was I guess. But from the two we knew that was taken, I I really didn't know of anymore. I thought that that was the end of the binder thing, so but like I said, I I don't even know if I was aware that there were three or two or whatever. I knew there was some. Like I said, because it was a thing. When I first started.

VM So we don't know that whatever the employee was fumbling with is what Constance found?

WL I guess not necessarily.

VM Because it's my understanding that nothing has new has been added to those binders in years?

WL That I don't know. I don't look through them. I don't contribute to them so I I wouldn't know.

VM Did like random people talk to you about this on Monday the 3rd?

WL Yeah, I mean, people were walking up asking, *are you OK?*

VM Who?

WL Mary Madden. She you know, she came up a couple times and asked me if I was OK, how she she gets here really early. I don't what time she starts her day, but she's like in our office, if that makes sense. Like Commissioner Services is like, right when you walk in our office, even though they're Superior Court, they're like, housed in one time. So. I mean, her office is in there, so I'm not sure. Like where she was at the time or even if she heard it. Or if she heard it from somewhere else, she didn't tell me. She just asked me if I was in.

VM Anyone else?

WL No, not that I can recall.

VM Was it talked about throughout the week?

WL I don't think anybody directly talked to me and I I heard like some comments made in passing. I don't remember what Joey said. He was just saying like. He was at the front door and I think I was making copies. I don't know if, like Kelly was there and was like, *man, I need to win the Lotto* and he's like, *yeah, me too* or something. And I said, y*eah, you know, that would be great.* But I think that they were like saying like, you know, like when the lotto as in not have the work . And I think somebody to the degree, I don't remember what he said, but he was like like *I didn't have ears or eyes anymore* or something of that nature like. And I'm like, *oh, you're blind now*. Like I think it was like reflecting on what had happened. His, like from what I know he heard. But I mean pretty much.

VM Did it die over weekend?

WL I think it died over the weekend. I mean, I think we even felt a little like we were kinda not like all three of us were kinda, you know, like a little on edge about it, I guess throughout the week and I think even by the end of the week we kinda like could sleep finally and so. Because obviously we we all three you know like *are you OK*? We were checking on each other.

VM How did it make you feel?

WL I mean, do you feel uncomfortable? It made me feel like, like I said, like we're problem like like it is insinuating that we we had something to do with people saying these things, you know, kinda like we are being blamed, you know. Made me feel like I don't wanna make a mistake or misread something.

VM So you've described that this was a small event, that you were surprised by the escalation. You didn't use that word. That's my word, so who's to blame for this?

WL I don't know that there should be blame placed. I just feel like it should have just been gone about in a different way. Maybe. And like I said, I don't. I don't want to shift blame because, like, maybe Tonya hasn't been, you know, too trained on how to take situations. But to me, as a manager, I I probably would have went to the other manager and even said, you know, *did did you, you know, did you let? Your employee know that they weren't supposed to move* and then you know if, if not. *Oh, well, you know. Friendly reminder sent out an e-mail stating this.* You know, and if it was misinterpreted at that time, maybe you know, just then it could have been maybe discussed and said well, you know it was more tied to the construction. So maybe I read it wrong, you know, but maybe gave a chance to express. Maybe the confusion there. Yeah, but I think that that could have just handled the situation and it wouldn't have been anything beyond that.

VM You said that Constance was amped up and maybe even Tonya a bit when you first saw her? How much of this is because the employee, in your opinion, because the employee was

moving? And you know, there had been a communication that said nobody was going to move. So how much of it the event was caused by that and how much was it caused by the words that were used by Janelle?

WL Honestly, I think it was more geared towards the words that were used by Janelle. Because it didn't really make sense. Like I said in the beginning, how even Tonya was so amped up. But then after Tonya came in and said what she said, then it was like, oh, not that I understood it. Or I'm excusing it, but that. Oh, that's why they're kind of amped up because she said that she feels like they hate her.

VM In your opinion, is it 60/40?

WL 80/75 or 80/75/25 like I said, because I don't know that small little confusion would have caused all that emotion.

VM So 25% Janelle moving and 75% towards the words Janelle use?

WL Yeah. And honestly, I don't even know it was about anything that was moved. We had been there for like four minutes. OK. I think I walked by her, and she was like kind of Clorox wiping down but that wouldn't have been weird because, like, Becky's been there for 30 years, so. Wiping the area down like I don't even know that she had moved one thing that time so. But honestly, I like I wasn't looking for it either. When I passed by the second time after I had gotten my stuff. It's not like I was looking for it.

VM In your perspective, do you think that this was a moment where Tonya and Constance pounced on the supervisors, because you think their perspective is that as a group or individually you're all problems or…?

WL Honestly, I don't know. Like I said it it wasn't even geared towards like you. You know, it was geared more towards that. Somebody said that that they felt like she needed. They hated her. Because she also brought up Melissa Bucknam (Jaso). I'm not positive on that because she it was more geared towards like what was said to to them because she even brought up Melissa Bucknam (Jaso), which had nothing to do. Yeah, like that wasn't involved in the, but she didn't even start work until 8:00. Like she wasn't there.

VM Have you heard employees be discourteous about or to Constance; or disrespectful to or about Constance; or *I hate Constance* - do you hear those kinds of things?

WL No.

VM The dept has had a lot of turnover. I'm not stating anything that you don't already know. And then some of the people that we've talked to have said that to us that people have left because of Constance. How do you feel about that?

WL It's never been voiced to me that that's the particular reason why, but we have had a lot of term. It's also been told to us that. I mean I have. They have heard like the older employees like. The ones that have left, like I said, I hear stuff because I was across the street. So it was like through the grapevine, like I wasn't in the building. I mean, obviously people have been

yelled at. People you know were crying in their offices because they're being yelled at, not being treated at night. Things of that nature, that's what makes me a little nervous about this too, because I feel like it's like now I'm in it. It's kind of deja vu ish like. It's been said before and nothing's been done, so it's like now we have to come in here and stir the pot and then someone's gonna ask for these results and then read it.

VM So, one of the things that's been said, and you didn't say this, but you started to talk about some of the older (as in tenure) people you know have left because of perhaps treatment by Constance. That the employees that Constance has hired are treated differently than the employees that were here prior to Constance being hired.

WL I will say that she does have some relationships with some of them, but you know, like some people get like, I don't know that it's specifically by her, but like, they're just cubicles decorated for their birthday. And it's just like a couple of new ones. But it's not everybody you know. So, it's like when she first started, she would do birthdays and she would do it by month and then, you know, whoever had a birthday that month, she would just bring like bags with goodies in it and give it to everybody. But then that kind of stopped. And yeah, so, I mean like I said, I do see some people that have a better rapport with her for sure.

VM And are those people that she's hired?

WL This last batch. Brenda was one. Jaliyah and Gloria. So, like I said, I'm obviously like I said, they have a better rapport than some of the people around there.

VM Are you aware of things that Constance may do outside of work with either Brenda or Jaliyah?

WL Jaliyah, I know that she, like, not outside of work. Now, what she does get like, you know, maybe some clothes that she's given to Jaliyah. I don't know about Brenda, I'm Jaliyah's manager, so I have a rapport with her. So, she'll you know, she'll just be walking out with us sometimes, and it'll be stuff that. Maybe like some food sometimes like chilling HelloFresh stuff in and she brings. Sometimes she'll put a food on the counter for everybody.

VM So, you've mentioned the people have said to you or you've heard people say that they've cried because they've been yelled at or they've been yelled at and they're leaving things like that. The treatment that you've experienced, including Monday the 3rd is that causing you pause with your job here at Pierce County?

WL It definitely makes me feel a little weary for sure. Like I said, like I, you know, like something so small, if that's what this was geared towards, the miscommunication, you know that that just seems unfortunate. I missed reading e-mail.

VM Do you feel like you are walking eggshells? Those are my words.

WL Since the incident, I just feel like I don't know it's more of the unknown, you know, I guess. Yeah I've been I've been anxious Tonya hasn't been here really since she was on vacations and got back today?

VM And is your anxiousness – this might be hard to answer because Tonya hasn't been here, but is it equal? Do you have as many anxious feelings towards Tonya as you do Constance?

WL Yeah, just trying to feel out the situation, I guess. Like, that's why like I like, I still have to do my job, and Tonya is my supervisor, you know? So I'm. I'm trying to just still be the same and act the same. But, you know, just going in with small questions or something. It, you know, I'm like. Hey, you know, just feeling a little like it's not the same. Like after something like that happens, I don't think they obviously you can go in and it'd be the same, you know.

VM You said you haven't worked with Tonya much, but I mean, she's your supervisor. But what is your interaction level?

WL She sent some things, like kind of maybe e-mail that seemed like a little demanding sometimes but I've never encountered anything like in person like I did on Monday.

VM So that's kind of it's kind of like the answer before the question. You haven't seen her be this amped up before.

WL No, no. Yeah, it definitely like I said, I think it all caught me off guard, but you know.

VM So, oanya arrived a little bit before you. Is that correct? Was it later? It was later?

WL Later but again, I stayed in my office. Probably check a few emails and then I go to the kitchen that's in the back of the office to get like whatever I like. I do that every morning and I have my water bottle that I fill it back there.

VM You got that promotion before Tonya was hired or just after Tonya was hired?

WL Before.

VM So in the in the time that you've worked together almost a year, then is Tonya's behavior changing? Is it? Is she becoming? And I guess where I'm going with this is did she come in prepared to be the Assistant Clerk, whatever title is and has observed, maybe Constance, exhibiting a certain type of behavior and now she's starting to emulate it? It's a really complicated question.

WL It is because it's very speculative. But I will say. Yeah, I've never experienced anything like Monday. I will say that.

VM TH do you have any questions?

TH No

VM WL - questions for us?

WL No. But like I'm gonna be just as anxious as what I was before, so.

Closing comments / EAP

WL Yeah, like I said, it's just kind of disheartening because, like I've seen this all happen before and it won't be what is. Thought I said. It's gonna be what I said so. Yeah, just because these processes like, yeah, we go in and say this is confidential and all of these things, but it's really not because at the end, people could just get it and look at all of it. So and then there's people. Then you know, then it creates more of a divide in here because people see what you know, what may have or what wasn't so.

Retaliation

WL I get it, but I just obviously there's been a whole bunch of investigations and you can go retrieve what happened.

Admonishment & retaliation – end at 4:17 PM

March 11, 2025 | Meeting with Janelle Olsen and 117 Rep 1:00 – 1:45 PM

Janelle Olsen (JO), Vicki Moll (VM), John Howell Jr (JH), Tara Hallam, notetaker (TH)

Introduction, admonishment and overview

JO: I do have a statement that I can forward.

VM: So, let's go back to last Monday and I know that there's some part of the story that's… Actually before last Monday, because you had a thing happen with a coworker who left, but then you'd also had some understanding about what would happen when that coworker left - So start wherever you want to, at the beginning.

JO: Becky Aquin was the lead in my department. Two years ago, I got the secondary lead with the intention, it was always divulged to me from management and Becky, that that I would be basically training to then take over when she retired, so she was planning on retiring somewhere around her 30th, that was always the in the plan, always in the cards since I started working. So, you know, 30 years of knowledge, versus, I've been with a Clerk's office for just under 4. That's quite the undertaking and I understood the assignment. And so there's a lot of pressure to make sure that I got all, I absorbed everything that I could while she was here. And so. Leading into the week that she was gonna be leaving, it was, of course, very emotional for a lot of people. Becky was not only very knowledgeable in her position. But she was always someone that people could go to with personal things. So, it was kind of she was just kind of there for all things. She was a great leader. So prior to her leaving, it had always been kind of a thing, like I said, that I was gonna be the lead in the department, whether or not another through would be coming on. It was never really discussed if that was gonna be continuing. And so I had spoken with my supervisor, Melissa Engler, multiple times actually, regarding like, *OK. I'm OK to move to Becky's desk.* That's always been kind of the knowledge that that would be happening. Becky's desk is substantially larger than mine. I probably have the smallest desk in the section. The only reason why I was sitting there was to be closer to Becky while I was training, so it was just easier. I could turn around. *Hey, what's going on with this* and have better communication. She left Friday. Her last day was Friday, so you know, of course, I was very sad. I don't want to add to see her go. Monday rolled around and I hadn't really started moving anything over there yet. There was a lot happening on Friday that I was catching up work wise and I anticipated coming in earlier before the workday to make sure that I started the move before the work day so it didn't interrupt our daily 'cause we were already gonna be a little bit behind being one person down. So that was always, you know, anticipated. And I had spoken with my manager and my supervisor prior to that. So, you know, when I came in, of course I was feeling a little sad, as one would, you know, and a little, you know, maybe anxiety a little bit too. You know, first day, like officially that it's just me in the department as the lead just a little bit of nerves and everything. So, I was cleaning up the desk In preparation of me starting to move, I was underneath the desk grabbing the recycling at Becky's desk and Tonya Moore came in, and she normally doesn't walk through that area. She

usually kind of walks along the backside of the wall to go right into her office, so I already found that to be kind of just not normal. And she kind of came up to me and she goes, *what are you doing?* And I was actually kind of taken aback. I mean, Tonya and I haven't had a lot of interaction, but the interactions that we've had have always been pleasant and it just seemed very like abrupt in her questioning. So, I was just kind of confused. I'm like, *"Oh, I'm. I'm moving desks." A*nd she goes, "*Well, you're not supposed to do that."* And I, and I'm like, *"Oh, well I got preapproval from Melissa."* Like, I'm not just doing this because I want to, you know, like I got preapproval. She said, *"Well, an e-mail was sent out last week to the supervisors and they're clearly not doing their job in communicating."* In that you know… So, I'm just kinda like the whole time. I was pretty shocked, kind of at it, and I also was feeling very not heard a little bit. And so, and you know, so I'm like, *"Well,"* I'm like I said*, "OK."* And I said, *"Well, is there any way that we can maybe discuss this further, you know the plan was that, you know, I was going to move here. Our newest hire in our department who is very much in the middle of training, wanted to move closer to me so she could move to where my spot was so she could be closer. So, while we're training, it just makes it a little bit easier. And then that leaves that other spot. Where she was open."* And Tonya basically was like, *"Well, you know, we have plans for everything because we're doing this big construction move,"* blah blah blah… *"And we have to place people."* And I said, "*OK*." Well, you know, and I'm like, "*I understand that, and I can totally understand that, but we're not. We would still be keeping, there'd still be a desk that's available, so it's not like we're taking up two spots and not leaving one open."* There would still be one available and I explained the need, the amount of work that I have. I just don't have enough desk space at the desk that I'm at. And that's the reason for it, you know. That's the reason why I was moving. And she, you know, she was like, *"Well, you know, we'll have to talk to Constance*, *but you know, really that the supervisor should have explained that and they didn't do their job.* And I just you know, I don't. I was feeling very emotional in the moment, and I just kind of was defeated. And I usually am not an emotional person. And I usually don't operate on emotion, but in that moment, I just kind of looked at her and I said, "*Why do you guys hate me?"* And immediately. I regretted it because it just was an emotional response, and in that moment, that's genuinely how I was feeling. But that's not very productive communication, and I realized that, but just in the moment, that's how I was feeling. So, Tonya was very like, "*Why would you say that? We don't hate you."* And I'm like, I'm sorry. "*I just, I'm not really feeling like this is a very good conversation. I feel like you're coming at me with a lot of like disdain and attitude. And I'm not really sure where it's coming from, but you know, I'm like, I'm just trying to ask for a conversation, if we could all sit down, and it just kind of seems like there's a lot of deflecting, and I really just don't really know where it's coming from*." So, she's like, *"Well, I'm… let me go talk to Melissa* ." And, you know, but, you know, just, you know, and I don't really recall at that point. I just sort of was like, "*OK. That's fine,"* you know. I wasn't… I was never argumentative. I was just trying to communicate, but it seemed more of like an argument towards me, and it just was very disheartening, and I think that's also why I said what I said. So, then Tonya went in to speak with Melissa. Meanwhile, I've already had the recycling in my hand, so I went to dump it, and when I was coming back, I could see Constance coming down the hall. So, I just got back to my desk. Melissa approached me and she said, you know, "*I apologize. There was an e-mail*

I had actually seen it, but I didn't. For some reason I didn't think it actually involved you. Like it wasn't super clear. I didn't realize that they meant moving desks. I thought they more meant people moving departments." Because like we just had Jenny move from the DV department into our department. So, just like halting movement and that's how she interpreted it. And she apologized for not realizing the meaning was moving desks. And I said, "*That's fine*." And I said *I still would like to maybe have a conversation and with regards to to this. Just, you know, at some point it would be nice. You know, to actually have a say. I mean, if they decide that no, I shouldn't have the desk, great. But I would like to. At least maybe be heard.* And she said, *you know, I agree. You know, we'll, you know, we'll see if we can maybe set something like that up*. And I said *OK great.* So, I was at my desk. And at that point. Constance had been in Tonya's office for a minute. I believe that Whitney and Tyler had had met into Melissa's office because, they usually have a pow-wow in the morning saying like, *OK, these people are out. This is the agenda for the day. This is how the day is gonna go*. And suddenly the door flies open at Tonya's office, and I see Constance because she has to walk past me, basically, to go to Melissa's. She goes barreling into Melissa's office with Tonya in tow, they get in there and I couldn't make out what they were saying, but all I could hear was screaming just…

VM: Do you know who?

JO: Yes, it was Constance. I didn't hear anyone else speaking. All I heard was constant screaming. And it wasn't very long, because then suddenly she, you know, the door flies open, and she comes like, straight to me, and she was crying, but she was also very, like angry. And she wasn't necessarily yelling at me. But her voice was elevated. And she said, and my notes might be more effective in some of this 'cause I did write it down more verbatim, but, she basically said something to the effect of, you know, "*I don't know, Janelle, I don't dislike anyone around here, and I don't where that's coming from, and I've done so much in this office to try to make it a better place.*" And then she kept bringing up the fact that, you know, she's been through so much and that, you know, people have really made her life hell. I don't know if she used that term or not, but that's the gist of it. She just kept saying that like she's been through so much in the office and all of this. And so, at one point I just was so shocked. I was like, can I give you a hug because I feel bad that you're crying. You know, like I didn't really understand where this was all coming from when all I was trying to do was move to a different desk, honestly. And so I just was kind of like and she just kind of kept going on and on and then talking about that, *the supervisors aren't doing their job and it makes her look bad. And she's the bad guy.* And I just was kind of like, *OK, can we maybe can we maybe just have a discussion somewhere instead of it being in front of people* because at this point it was closer to the 7:30 start time, so there were more people who had, you know, entered into the building. So it wasn't just like the few people who had come in a little bit early so. She eventually, you know, she said *Fine*. So we go into Tonya's office. And we were in Tonya's office, you know, and the thing is, is like, we didn't sit down. We just kind of like walked through like the front of the door and just closed it. And I know that some people heard the commotion, and I just was trying to talk like this. And Constance was still crying. And basically kinda saying the same thing about that the supervisors are, you know, not doing their job. She mentioned something about that she is broken that that this place where the people have broken her from

the Clerk's office and I was trying to just diffuse as much as I could and try to explain like. Just my, you know, I'm like, you know, *I'm sorry. You know that you've been through that. I mean, that's not coming from me*. And I said, *I'm sorry that if what I said about, you know, you guys hating me, if that is the if that's what triggered you 'cause I don't want anyone to feel upset by anything that I've said. did say it in a in a in an emotional state, but I don't ever want to see anyone crying or upset.* And she just like said *I can't. I can't. I can't handle this.* So she just left, leaving just me and Tonya in the office. So I just kind of looked at Tonya and I actually started to cry a little bit, which is not like me. I'm not someone who cries. You can ask my husband that. He could probably count on one hand how many times I've cried. So the fact that I that I got to that point, I feel like says a lot. I stopped myself and you know, I said *I really don't know what I did to deserve all this this morning.* I just sort of reiterated, you know, my point and I said, you know, *I do feel like the leadership, you know, there's a lack of communication between the leadership team and us.* And she tried to say that, you know, *the supervisors aren't communicating.* And I said, well, *I don't know if I believe that, but you know, even if that's the case. I feel like why can't you guys just come and talk to us? That I feel like there's just this divide. And I don't know why we can't just communicate together and why it has to be like*, yeah, *I'd like you can go to your supervisor or whatever. But why does you know, why does it always have to be relied upon, that the supervisor has to relay* and I said, *And honestly, I'm not sure if maybe you're believing what our supervisors are saying, and if you are just thinking that they have their own ulterior motives and it's not really coming from us.* And so she, you know, she said, *You know, yeah, maybe what we need to do is start coming to the leads more to, you know, have more conversation.* And I said, I *mean, yeah, I mean I don't see why that, you know, I don't know why that would be off the table for something like that.* And so I felt like at that point, Tonya and I had a fairly, you know, good conversation. And so I did tell her. I said if you speak with Constance because Constance indicated that she was leaving for the day because she couldn't It was too much for her to handle. And oh, and one of the other things too that I had said to both of them when they were in there was, you know, I felt like, yes, I said "Why do you guys hate me?" And in that moment, I feel like Tonya & Constance know me well enough because I've done some overtime stuff with them. So I've had more like interaction with them in that way. So they've gotten to know me in that way in that role. And they know that I'm, you know, and I'm also the one and only Morale Committee member that just is trying to keep the morale on a daily basis and trying to plan fun things on the side. And I said, *you know, you should know this about me.* And I feel like maybe the communication when I said that should have been like. Hey, you know, why don't we? Let's sit down. Let's talk. Like what's going on? Like, what do you need from us? Like I understand, this is a hard transition. Like, let's talk about it. But instead I was met with. What I was met with, I don't even know how to explain it. But I did after afterwards I had said, you know, when I was leaving Tonya's office. I said, you know, *please let Constance know that I I apologize. Like I hate to see anyone upset. I hate to see anyone cry. And you know, that was not my intent.* And so I went back to my desk and I was feeling OK. But I still was feeling very nervous, you know, with Constance now, I felt like maybe she now didn't like me. I don't know that something was gonna happen, so I had seen her walking around. About an hour later. So, I saw that she was still in the building and so I decided I sent her a little pop up

message and I said, hey, do you have time to speak with me? And she said *well, I'm in a meeting until 9:00* and I said *OK, would it be OK if I came over at 9:05?* And she said sure? So at 9:05 on the dot, I went over there to her office. And when I came in, I saw that Nicole from Pretrial was sitting in her office. And it I didn't. I was very tired. It was a long weekend. It was an emotional weekend with Becky leaving and everything else, so I just wasn't thinking clearly. What I didn't realize I was, I was thinking maybe she had just finished having her meeting with Nicole and she was just finishing up or something. So when I came in, I started to sit at the desk, which normally if I've ever gone over there, we know we sit at the desk and we talk. Constance was very standoffish. And she's like, *no, we're gonna sit over here. Nicole's gonna be a part of this because I don't feel comfortable talking to you without someone in the room*.

VM: Did she provide any other information about why she didn't feel comfortable?

JO: No. So I was like, you know, OK, I mean at that point I didn't. I mean, I'm like, I don't know why you would feel comfortable. I don't know what I did to do that, but that's fine. I don't care. Nicole can be here. I got nothing to hide, you know. It's just gonna be a conversation. And so. You know, I I sat down and I said that you know, I, you know, I believe that, you know, she now thinks that I hate her or something. And I wanted to convey that that is not facts that I never said that I hated her I or dislike her and I just wanted to make that really clear. And I'm sorry if that's how she was feeling. And she kind of said, *well, it's what you said to Tonya. A*nd I said, *Well, I didn't say that to Tonya.* And she said, *well, what did you say?* So I said, w*ell, what I what I said in a state of emotion and after being met with aggression. In a moment of being emotional, I said, "why do you guys hate me"* And she said, *exactly so by you saying that to my deputy Clerk, that means that you're saying it to me.* And I said, *well, I don't agree with that, but if that's how you you portray it.* And I said, *and I'll be honest, like I didn't really put much thought when I said it. So "you guys" could have just meant anything.* It just was, like I said, an emotional response in that moment. That's truly how I felt. But is it something that I probably should have said since it was an emotional comment? Probably not. And I said, *I apologize.* And I said *I'm not really sure how that turns it around to me hating you. But I said if that's what you took from it, I said that I apologize*. And I said *that's not that was not my intention at all.* I apologized a few different times because, you know, I I do feel bad. I don't want anyone to cry. She did kinda say *you've already apologized*. *You don't need to say it again.* So I said *OK*. She you know, I I tried to sort of like because I had a pretty good conversation afterwards with with Tonya. I felt like she was kind of listening to me a little bit more. So I wanted to maybe kind of like reiterate what I had said to Tonya. And so I was talking about the divide between leadership and the rest of us and she wanted me to define the leadership team. Which I feel that she's been very specific recently in her emails who the leadership team is. So I just reiterated, I said, well, it's, *I'm defining it the way that you've defined it, which is with Tonya, Nicole, Shanika and yourself.* And she goes *OK. I just want to make sure*. I'm like, *Yep.* And I'm like, so the leadership team and us. And she said well, *we have these, you know, regular meetings with the supervisors and the supervisors don't speak up* and and she just kind of went down this road about blaming the supervisors and how the supervisor made her supervisors aren't doing their job and make her look bad, and then this is

what happens. And then she had brought up a few different times about how she's just been through so much with the Clerk's office personnel and she's, you know, been treating poorly and all this kind of stuff and I said, well, I said *I don't feel like you and I have ever had any issue with that in that regard. I I feel like it's always been professional. I don't think that I've ever given you any reason to think that I'm, you know, whatever you know.* And she said, "*Well, yeah. And that's why it hurt me so bad. What you said*." I said, "*OK*." So, you know, I just kind of felt like it wasn't really a productive conversation. She maybe was too emotional, wasn't ready to have that conversation. So I kind of read the room. So I didn't really go down too much at that point and I just said, look, I said, *"What do you need?"* You know, and I and I and I did say, I said *I apologize that you've gone through stuff again*. *You know, I feel like you're maybe like, blaming me for other things that other people have done because you brought it up multiple times*. Like, I'm like in this *group of people.* And I said, and I don't really like and she's like, *no, that I'm not trying to say that*, but I'm like, *but you kind of kept, you brought it up a few times, and I'm not really sure what that has to do with all of this.* But you know, in the end I just kind of was like, *well, you know, what do you need from me moving forward to make sure that the communication is better and everything else*? And she said *I'm not in a state in which I can respond to that right now.* And that's how we ended the conversation.

VM: When did you write your contemporaneous notes?

JO: Immediately that night.

VM: And what spurred you to do that?

JO: I know that in the past there have been things that happened in the Clerk's office and an HR complaint is immediately filed, and so, I wanted to be protected.

VM: Let me just go back, and so, when you talked about the events starting on Monday, you made a comment that Tonya was coming down like a different hallway, and you thought that that was odd?

JO: What am I saying there?

VM: Yes, are you saying that her stroll down that hallway, which is not her normal routine was planned or…?

JO: I, yeah, I felt in that moment it was. I felt later on when I was thinking about everything because I already thought that it was kind of odd that she was going down, that row of places I and once I found out that an e-mail had been sent, I felt that it was planned and that they almost… that it was a setup in a way. Because I would be the only one moving a desk. There's no one else in there you know, with Becky leaving. No one else is moving a desk. So, I don't understand why I couldn't have just been like, "*Hey, Janelle, I don't know if you're planning on moving to Becky's desk, but don't do it."* Instead of kind of an e-mail. Which the e-mail wasn't even from my understanding, wasn't eve just about that. About movement. It was about a multitude of things, so it wasn't like it was just centerpiece. Like, hey, *don't no one move a*

desk. It was multiple things, so it was to me what seemed like could have easily been misread or like not seen within the e-mail, or like Melissa had said, you know, she she read it in a different way. And I think that that's completely plausible. So it did feel. It it felt strange.

VM: Is the desk still vacant?

JO: Yes. And it still has a lot of my paperwork over there 'cause I can't. I don't have room on my desk, so I had to put it somewhere.

VM: You also said that Tonya talked to you. Tonya went and talked to Constance. Constance left her office walked down the hall to Melissa's with Tonya in tow, and then you could hear screaming. What about the door? Was it open or closed?

JO: It was closed. I mean, she started to close it, and she was already screaming, but I couldn't make anything out. I couldn't make anything specific out. I know some other people had. They had heard my name.

VM: How was door closed?

JO: It wasn't slammed. If that, if that's the question. It certainly wasn't.

VM: So, after this event tell me about, you know, 'cause these kinds of things can raise a ruckus. My words, no one else's. But the employees that showed up to work in that time frame, did they come to you and ask like," *Hey, what's going on*?" or come to you and say, "*I saw that thing and that was weird."* Or *"What happened?"*

JO: Yeah, there were a few people who were like, they heard, and they're just like, *are you OK?* And you know at that point I just was kind of. I was very defeated for the day, so I I wasn't talking much, which to begin with is not normally like me. So I think people just kind of picked up on RC1 [redacted]

VM: So you mentioned that Constance was crying when she went into Melissa's office. Have you seen her cry before at work?

JO: Yes.

VM: What kinds of meetings or what kinds of circumstances?

JM I'm trying to recall. I do know that there was one time in a in a... I'm trying to remember. I do recall seeing it, but I just. I don't know in what context right now.

VM: You said that Constance made the comment to you that you know, she's been through a lot. Do you know what she was referring to?

JO: I really don't. I mean, I know that there have been. I mean, we've had a lot of people leave the Clerk's office, and I know that there's been a lot of turmoil with some of that, and I believe that some of it is something that you know involve Constance to some degree in the reason

for the leaving, and I know that there have been some HR involvement type things and so I don't know if it if any of I mean I'm assuming that that's what she's talking about. That's just my assumption.

VM: Have you had a chance to talk to any of the coworkers that have left and they've given you a reason why?

JO: Why they left? Yes.

VM: What were some of those reasons?

JO: Quite a few of them were due to Constance. A lot of them were upper management. Some of those people were under a lot of stress. I mean, I would witness them. RC1 [redacted] My understanding is some of them were screened at in a similar fashion. I never witnessed it, so a lot of this was what I was told.

VM: And for this investigation, I don't need to know who relayed that to you, but was it one person that said they'd been screamed at? Three people? Or what's your best estimate?

JO: Probably four.

VM So then if I was to ask you if Constance's behavior last Monday morning was surprised you, how would you answer that?

JO: It surprised me in the sense that I didn't understand where it was coming from in that moment. Like because the only thing that had happened was my situation, and I didn't think that what I did should have warranted any of pretty much any of the honestly, but I didn't think what I had said or my actions or how I was speaking with any of them would have warranted any of that. And I didn't think that the supervisors should have been screamed at at all. I didn't think that it was that big of a deal if the supervisors missed that, I think that it would have been a just a really easy fix. Like *oh sorry*. Like, yeah, we kind of sent it out late last week. Maybe it got missed in the shuffle, like let's not move right now, right?

VM: And you mentioned that you've done overtime stuff with Tonya and Constance. What did you mean by overtime stuff.

JO: So, kind of end of last year, I want to say maybe starting in October, I'd have to look back. We've been trying to move stuff around from our records department because we're doing this big remodel, and so, we've needed overtime opportunities 'cause there's just not enough time in the day for us. So, she got it pre-approved. So, anyone who could sign up, there's a certain amount of people that could sign up. You could come in after hours, you know, after work, before work in some circumstances, and then on the weekends were usually the better time because then there would be a longer time period that we could be here to get more done. And those types of things were, you know, taking, you know, records out like we kept a bunch of wills through a bunch of the other stuff that already been scanned away, like filing stuff, putting stuff in new boxes, and writing everything in the box down 'cause then they're gonna be shipped somewhere. I'm not entirely sure, but somewhere to where if we need to recall the

box. So just basically offloading yeah and doing all of that. And I signed up for as many as I could. She had actually even sat me down and she had said she was gonna put it in Workday, but I never saw it, but she had said that a lot of people had commented about how much fun they had with me and that I was a born leader and that that I, you know, I really led the team, I mean, and there was no, there wasn't anyone really leading the whole thing, but she said that I took that. I would just. I naturally took that role on and that a lot of people came to her and said that they really appreciated me being there.

VM: Was Tonya ever present for any of those overtime opportunities?

JO: She was. She wasn't always in the room. Sometimes she was in a different room, but sometimes she was in the room working with us.

VM: Is that true of Constance as well?

JO: I was gonna say Constance usually would just kind of like show up, say. "*Hi,"* and then go to her office and do whatever. Sometimes Tonya and her would be somewhere else in the records area looking at stuff and planning, I think. But it's probably the most interaction that I've ever had with Tonya, because otherwise, most the time I feel like she usually just kind of sits in her office. And is she's in a lot of meetings, so she really hasn't come out and really talked to all of us that much. So it it it was nice, you know, and I and that's another reason why I like to do the over time was because I actually got to talk to people that I normally don't get to because, you know, usually I'm pretty busy during the day and just at my desk, so I don't really have a whole lot of opportunity to go and like really converse for any like the time with certain people.

VM: I know you said that Becky retired on Friday. Did you witness any of the leadership team come over and talk to Becky?

JO: I think Nicole said something, but outside of that I did not see anyone else.

VM: Are people still talking about this?

JO: Not that I've really heard. I mean, I've heard. I've just, you know, people will check in just like, you know, *"How are you feeling? How are you doing?"* Or whatever. But outside of that and you know. Not that I can think of.

VM: Have any of the supervisors talked with you about this event?

JO: Just immediately when it happened. And, you know, Melissa apologized to me. You know for me having to go through that. You know, for me, having to go through that.

VM What about Tyler?

JO He also apologized as well.

VM: Same day?

JO: Yes.

VM: Whitney?

JO: I don’t recall.

VM: Anyone we should talk to?

JO: I mean, unfortunately kind of the thing between like Tonya and I was just the two of us 'cause like I said, I came in early so. But I do know that Joey had, Joey was the one who heard the screaming in Melissa's office. Jerry, from our Judgment Team said that he heard it as well and he also heard her talking to me. He said he didn't hear me. But he could hear her. I know I didn't realize that Rayna was already there, but she mentioned that she heard the commotion, and she's actually the closest to Tonya's door. So she said that she heard some things. I don't know exactly what, but she said that if she, if she may have not heard specific, but she heard the commotion. I don't know if anyone else did. I didn't really go around too much just people I kind of approached me that they had heard things

VM: TH, do you have any questions?

TH: No I do not.

VM: JO or JH questions?

Closing comments, retaliation admonishment & EAP. End at 1:50 PM

From: Janelle Oleson
To: Vicki Moll
Cc: John Howell, Jr.
Subject: Notes
Date: Thursday, March 13, 2025 7:31:41 AM
Attachments: March 3rd.pdf
image001.jpg

Good morning,

Sorry for the delay. Please find the attached notes I took following the March 3rd incident. I'll be perfectly honest, I am terrified of what will happen once I turn this in which is why the delay. I believe this will drastically impact my job for the negative, but I feel I must do what is right, so it has been a huge internal struggle for me. Please let me know if you have any further questions and I will make myself available. Thank you.

Janelle Oleson
Legal Assistant

Pierce County Superior Court
Clerk's Office
930 Tacoma Ave South
Rm 110
Tacoma, WA 98402

Phone: 253-798-4857

I, Janelle Oleson, declare:

On the morning of March 3rd, I was in the office just after 7:00am in the morning. My intention was to start moving my desk to the vacant spot my LA3 predecessor had vacated as her last day was the previous Friday. This move had been pre-approved by my manager, Melissa Engler. It was always known that I would be moving once Becky retired so I could do my job more effectively in the larger space. My current desk is the smallest one in the cubicle area and I have the most work being an LA3 in the Docket team and having to train others and have to check their work, along with processing large stacks of Blake orders, along with my other normal duties. I am unable to effectively do my job at my current location with the space limitations.

That morning, I had not moved much because I was cleaning the area/desk first. I was halfway under the desk grabbing the recycling bin to empty it, when Tonya Moore (Chief Deputy Clerk) walked by and said "what are you doing?" in a very accusatory tone, not an inquisitive one. This was unexpected as I have never experienced a negative interaction with Tonya. I answered her that I was moving desks in more of a question because I was confused by her tone with me. She responded angrily "You aren't supposed to do that. We emailed the supervisors last week and they clearly didn't do their job in communicating that with you". This response also took me by surprise with how she was speaking about the supervisors and how she was speaking to me. I let her know I had already had preapproval from my supervisor, Melissa Engler, in case she thought I had not gotten approval to do so. She continued to say that an email was sent and the supervisors didn't effectively communicate. I explained to her my reason for moving to better do my job, and our newest addition to the team, Jenny, would move to my desk to be closer to me to help the flow of training, leaving her desk on the other side of the cubicles open and available for anyone who needed it, which is a larger spot than my current cubicle. She explained they had plans for the renovations, which I told her that I understand so I asked if we can have a discussion to figure it out collectively. The way she was speaking to me felt combative, and I felt as if I had done something wrong. I was already feeling very overwhelmed with Becky being gone and feeling the pressure of being her successor as she had set such a high standard. I also was worried about the potential new LA3 positions that had been posted. Reyna, who is fully trained in my team and someone I have always relied on for her work ethic, had applied for one of the LA3 positions. I assumed she would get the position given her extensive background with the courts and how she has performed while in the clerks' office. I was worried if she did get it and they decided not to keep her in the Docket, which would leave me in a huge detriment along with extra pressure on my team. I was also worried if they didn't give it to Reyna, that she would likely leave the Clerk's office. Reyna not getting it also meant IF they put one of the new LA3's in my section, I would have to train them from scratch and

I'm already training a new LA2 in our section, which is a lot. I have never felt the leadership team has ever cared about my docket team as they have never reached out to us to see if there's anything we need, or how to help with this major transition or change. It had been known that Becky was potentially retiring sometime after her 30-year mark. When I received my position, it had been discussed that the reason for my position was to absorb as much information I could before her eminent retirement. Initially she wanted a few years after her 30 years but ended up leaving earlier due to how she had been treated by the leadership team. All these emotions were already swirling around in my head. I felt defeated and upset the way Tonya was speaking to me. In that moment I said, very defeatedly "why do you guys hate me?". I'm not even sure why I said it, and I'm not typically emotional. Tonya stepped back and said "What?! No one hates you! Why would you say that". I told her I didn't understand why she was talking to me in the manner she was. I asked if we could sit down to have a conversation. She went into Melissa's office to vent her frustration that they hadn't "communicated" with me. I went out in the hallway to throw the recycling away and ran into Jerry Garber, who could see I was upset and asked how I was. I just said it was a bad morning, and I turned and saw Constance coming down the hall. I went back into the office to my desk where Melissa met me and apologized. She explained she had received the email late Wednesday February 26th, but it didn't resonate that it would include me moving to Becky's desk. She believed it was more for during the pending renovation and believed it meant more for people not to move into other sections. (For instance, Jenny Kestner just transferred to the Docket section for DV, so this is the type of "move" she interpreted as). She told me to just stay put for now. I explained my frustration and that my voice wasn't being heard by the leadership team. She understood but said for now we shall wait and see. She returned to her office.

A few moments later, Constance emerged with Tonya from Tonya's office, and they stormed into Melissa's Office. At that point, Tyler Wherry and Whitney Long were in Melissa's office having their morning check-in. Constance starts screaming at them before the door is even fully closed. I couldn't hear exactly what was said, but it was clear by the screaming that it was not good, and it felt extremely unnerving and uncomfortable. I did not feel anything that happened that morning or in any scenario that upper management should be screaming at anyone for any reason. At this point it was closer to 7:30am so many of the people who start at that time were in the office and could hear the commotion. Joey Sonntag mentioned that he heard Constance screaming my name and Melissa Bucknam's name but couldn't hear exactly what was said. Jerry Graber also said he heard the yelling. A few moments later, the door flew open to Melissa's office and Constance came barreling over to me, crying but angrily speaking at me in an elevated voice. She was saying "Janelle, I have been doing everything to make this place better, and I've been through so much in this

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office..." she mentioned the supervisors not doing their job which then in turn makes her look like the bad guy. She also mentioned she's been under attack over the years in the office. It's hard to remember what all was said beyond that because I was just in a state of shock this was happening, but it was much of the same thing. I asked her if I could give her a hug because I genuinely felt bad she was crying, although I did not feel I had said or done anything to elicit such a reaction, and was trying to defuse the situation. I felt embarrassed because this was all out in the open for all to see. She ignored my question the first time. I felt extremely uncomfortable and felt that I was in trouble. I genuinely felt bad she was crying. I don't want to see anyone crying. I asked again if I could give her a hug and she declined. I asked if we could please go and have a discussion outside of the public eye, and she eventually threw her hands up and said fine and we went into Tonya's office.

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she left the front counter a few months prior. She said the other two were for the Probate/Guardianship clerk position LA3 as the person holding that spot had just gotten a job in Jury Admin and her last day was the last day of February. The other LA3 was Becky's LA3 position, but it would not necessarily be for the Docket section. She made it clear in the meeting that none of the LA3 positions were promised a section, that they would make that determination as to where the need would be in the office for those positions to go to. She explicitly used Docket as an example stating "Sincé Janelle is already an LA3 in the docket, the other LA3 job would go where the need is.". After she made all her announcements, she opened the floor to questions. She went down the line asking people if they had questions. I ended up raising my hand, asking for clarification on the job postings. I said "I wanted to clarify I understood what you said, that the LA3 position would not come to docketing..." and she quickly retorted "NO, I did not say that.... What I said was, we will decide where the need was". I didn't feel I deserved to be snapped at in that way, and others had mentioned they felt she snapped at me in her response. My question was just to clarify I understood. I told her "Thank you for clarifying.". No one else had anything so the meeting ended.

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losing all the people who know how to run this office properly, leaving this office in dire straights and also the public will suffer.

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this declaration are true.

Signed at *(city and state):* Tacoma, WA_____ Date: 3/11/2025

_____

Janelle Oleson, LA3 PC Clerk's office

I, Janelle Oleson, declare:

On the morning of March 3rd, I was in the office just after 7:00am in the morning. My intention was to start moving my desk to the vacant spot my LA3 predecessor had vacated as her last day was the previous Friday. This move had been pre-approved by my manager, Melissa Engler. It was always known that I would be moving once Becky retired so I could do my job more effectively in the larger space. My current desk is the smallest one in the cubicle area and I have the most work being an LA3 in the Docket team and having to train others and have to check their work, along with processing large stacks of Blake orders, along with my other normal duties. I am unable to effectively do my job at my current location with the space limitations.

That morning, I had not moved much because I was cleaning the area/desk first. I was halfway under the desk grabbing the recycling bin to empty it, when Tonya Moore (Chief Deputy Clerk) walked by and said "what are you doing?" in a very accusatory tone, not an inquisitive one. This was unexpected as I have never experienced a negative interaction with Tonya. I answered her that I was moving desks in more of a question because I was confused by her tone with me. She responded angrily "You aren't supposed to do that. We emailed the supervisors last week and they clearly didn't do their job in communicating that with you". This response also took me by surprise with how she was speaking about the supervisors and how she was speaking to me. I let her know I had already had preapproval from my supervisor, Melissa Engler, in case she thought I had not gotten approval to do so. She continued to say that an email was sent and the supervisors didn't effectively communicate. I explained to her my reason for moving to better do my job, and our newest addition to the team, Jenny, would move to my desk to be closer to me to help the flow of training, leaving her desk on the other side of the cubicles open and available for anyone who needed it, which is a larger spot than my current cubicle. She explained they had plans for the renovations, which I told her that I understand so I asked if we can have a discussion to figure it out collectively. The way she was speaking to me felt combative, and I felt as if I had done something wrong. I was already feeling very overwhelmed with Becky being gone and feeling the pressure of being her successor as she had set such a high standard. I also was worried about the potential new LA3 positions that had been posted. Reyna, who is fully trained in my team and someone I have always relied on for her work ethic, had applied for one of the LA3 positions. I assumed she would get the position given her extensive background with the courts and how she has performed while in the clerks' office. I was worried if she did get it and they decided not to keep her in the Docket, which would leave me in a huge detriment along with extra pressure on my team. I was also worried if they didn't give it to Reyna, that she would likely leave the Clerk's office. Reyna not getting it also meant IF they put one of the new LA3's in my section, I would have to train them from scratch and

I'm already training a new LA2 in our section, which is a lot. I have never felt the leadership team has ever cared about my docket team as they have never reached out to us to see if there's anything we need, or how to help with this major transition or change. It had been known that Becky was potentially retiring sometime after her 30-year mark. When I received my position, it had been discussed that the reason for my position was to absorb as much information I could before her eminent retirement. Initially she wanted a few years after her 30 years but ended up leaving earlier due to how she had been treated by the leadership team. All these emotions were already swirling around in my head. I felt defeated and upset the way Tonya was speaking to me. In that moment I said, very defeatedly "why do you guys hate me?". I'm not even sure why I said it, and I'm not typically emotional. Tonya stepped back and said "What?! No one hates you! Why would you say that". I told her I didn't understand why she was talking to me in the manner she was. I asked if we could sit down to have a conversation. She went into Melissa's office to vent her frustration that they hadn't "communicated" with me. I went out in the hallway to throw the recycling away and ran into Jerry Garber, who could see I was upset and asked how I was. I just said it was a bad morning, and I turned and saw Constance coming down the hall. I went back into the office to my desk where Melissa met me and apologized. She explained she had received the email late Wednesday February 26th, but it didn't resonate that it would include me moving to Becky's desk. She believed it was more for during the pending renovation and believed it meant more for people not to move into other sections. (For instance, Jenny Kestner just transferred to the Docket section for DV, so this is the type of "move" she interpreted as). She told me to just stay put for now. I explained my frustration and that my voice wasn't being heard by the leadership team. She understood but said for now we shall wait and see. She returned to her office.

A few moments later, Constance emerged with Tonya from Tonya's office, and they stormed into Melissa's Office. At that point, Tyler Wherry and Whitney Long were in Melissa's office having their morning check-in. Constance starts screaming at them before the door is even fully closed. I couldn't hear exactly what was said, but it was clear by the screaming that it was not good, and it felt extremely unnerving and uncomfortable. I did not feel anything that happened that morning or in any scenario that upper management should be screaming at anyone for any reason. At this point it was closer to 7:30am so many of the people who start at that time were in the office and could hear the commotion. Joey Sonntag mentioned that he heard Constance screaming my name and Melissa Bucknam's name but couldn't hear exactly what was said. Jerry Graber also said he heard the yelling. A few moments later, the door flew open to Melissa's office and Constance came barreling over to me, crying but angrily speaking at me in an elevated voice. She was saying "Janelle, I have been doing everything to make this place better, and I've been through so much in this

office..." she mentioned the supervisors not doing their job which then in turn makes her look like the bad guy. She also mentioned she's been under attack over the years in the office. It's hard to remember what all was said beyond that because I was just in a state of shock this was happening, but it was much of the same thing. I asked her if I could give her a hug because I genuinely felt bad she was crying, although I did not feel I had said or done anything to elicit such a reaction, and was trying to defuse the situation. I felt embarrassed because this was all out in the open for all to see. She ignored my question the first time. I felt extremely uncomfortable and felt that I was in trouble. I genuinely felt bad she was crying. I don't want to see anyone crying. I asked again if I could give her a hug and she declined. I asked if we could please go and have a discussion outside of the public eye, and she eventually threw her hands up and said fine and we went into Tonya's office.

Instead of us all sitting down at Tonya's desk, the door was just closed and we stayed just inside the door, so it didn't feel very welcoming. It felt very much like I was under attack, and Constance was playing the victim as if I had done something so terrible, when I do not believe my actions that morning warranted any of that. If anything, a discussion should have been held with me to see what was happening, to see if I was OK. I have never made waves in the office and I told them that. I said they should know me and who I am, that I don't wish ill-will on anyone. Constance said "I am broken, you guys have broken me". Again, I truly do not understand what happened with me that morning or any interactions I have ever had with Constance or Tonya to warrant the type of behavior I was receiving or witnessing. She blamed the supervisors for not conveying things she tells them and then that makes her out to be the bad guy, which I do not believe to be true. She also mentioned she has so much to do in planning for this renovation and she has to place 50 some people into new areas and it's quite the undertaking. I told her I understood and would like to be part of the conversation. She didn't seem very open to hearing what I had to say. The conversation only lasted maybe a minute and it was mostly Constance talking about how she is a victim, and then said "I can't do this, I have to leave, I have to go home" and just left without resolving anything and leaving me there with Tonya. It was the most unprofessional situation I have ever witnessed and felt very scared for the aftermath would be against me after this morning. I started to tear up, which is not something I typically do. I am not known to cry. I told Tonya that I do not cry and so if I am, that's how much pressure and stress I am under. The fact that I was not met with compassion and a safe space to talk was disheartening. Tonya and I did have a more conductive conversation at this point, and I told her I understood they need to prepare for this renovation and need to come up with solutions, but it would be nice if they would speak with us regarding this. I told her there's a disconnect in the office and I see it daily. I see our supervisors go into countless meetings, I hear that they are conveying things to our leadership team, but it doesn't seem like the leadership team listens. Tonya also tried

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I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this declaration are true.

Signed at *(city and state):* Tacoma, WA_____ Date: 3/11/2025

_____

Janelle Oleson, LA3 PC Clerk's office

March 11, 2025 | Meeting with Joey Sonntag | 2:30 PM -3:15 PM

Joey Sonntag (JS), Vicki Moll (VM), Tara Hallam (TH), notetaker (TH)

Introduction, admonishment and overview

VM So this morning when I we talked, I gave you a little bit of information. Are you surprised that Human Resources is involved?

JS Not for, I think the overall situation but I guess no, not too much. But I mean, I haven't. Anyway, I guess not too much, no.

VM So let's go back to Monday, March 3rd. What time do you normally get to work?

JS I start at 7:30.

VM And so when you got to work, what's the first thing that you notice that something was wrong. My word, no one else's.

JS I heard a door closed pretty loudly into the Manager's office that I sit pretty close to. Actually got up to go to the main to the back and records real quick. And then I could hear. I could hear a voice pretty loudly talking. And then I went back to the desk where I sit in the morning sometimes that's near the office. And then, yeah, I heard. And then I knew it was our Clerk, Constance White talking very, very loudly to the three managers. Whitney Tyler and Melissa. They were in there.

VM When you say that you heard the door close pretty loudly was that the door into the supervisor's office?

JS Yeah.

VM And do you have any idea who?

JS I don't know if it was oh, sorry, I, but I didn't see who closed it.

VM Who do you think it was?

JS Well, I think it was Constance because or I guess, Tonya, the Deputy Clerk. Because Melissa, Tyler, and Whitney were all sitting down at their spots in there, and I knew they were already all in there previously, before Constance and Tonya walked in there.

VM From where you sit, normally, where your desk is, can you see into the supervisor's office?

JS A little through the door and the window – both if the blinds are open, which they were.

VM How long did it take for you to figure out that Constance - you said her voice was loud, I think, talking pretty loudly - can you attach an emotion to that? Was she angry? Mad? Sad? Happy?

JS I felt very angry. I thought she was yelling at them directly. That's what I thought.

VM Could you make out what it was about?

JS I didn't. I learned later about what it probably was about but through other people. I learned from Janelle.

VM Had you seen that kind of behavior or heard that kind of behavior before from Constance?

JS No.

VM Were you surprised?

JS Yes because it was in main office. It was pretty, I don't know, it made me uncomfortable for sure. Cause. Yeah, it was really, really loud and. Yeah, it just didn't seem. I don't know. It didn't seem appropriate for in like the middle of the office to do something like that, but I was surprised. That that it was happening right there, I don't. I don't think I'm surprised that that did happen based on what I've heard in the past, but.

VM What have you heard?

JS just that she gets very upset with people. I don't know. I just. I've heard that she's yelled at people before.

VM And you've categorized the level of her speaking as yelling. Was it yelling the entire time? Was it screaming? Did it get louder? Did it get quieter? Tell me something about what you observed.

JS Yeah, it was pretty much the same tone. I mean, it wasn't like long. I mean, I wouldn't say it was more than. I mean, it probably felt longer than it actually was. I mean yeah, based on what I heard, it was probably 30 seconds. It's probably a few minutes overall, but I didn't hear all the words 'cause I didn't hear the beginning or anything. That's why I didn't even know what they're talking about.

VM Do you know what transpired after Constance left the supervisor's office?

JS Well then Tonya stayed in there. And she was talking to them, but not not nearly as loud as Constance. I didn't hear clear words that she was saying. I could hear her talking, but I couldn't hear words 'cause it was not.

VM Can you recall any words?

JS I only I feel like I heard, *I do everything that I can*. That's, but that's all I heard.

VM And that was attributed to Tonya or Constance, OK.

JS No, that's what Tonya said, yeah.

VM *Everything I coul*d or *everything I can*? Sorry I missed that.

JS I believe I heard everything. *I do everything that I ca*n that that. Yeah.

VM Do you know other employees that witnessed this. Either you know, saw some of it, or heard some of it?

JS I do not.

VM You said it was made you feel uncomfortable. Uncomfortable. Did it make you feel anything else?

JS I mean, yeah, it was very I was very uncomfortable. It was very. Yeah, I was shook up. I had to be honest just cause. Yeah, it it was very. It was very intense. And I just, I don't know. I just have a heart and I feel I felt bad for them. 'cause I thought they were. I thought the managers were getting yelled at and I just. I just felt for them. Because I just didn't think, you know, if they did stuff wrong or whatever. Like, I just, I don't think anybody deserves to get yelled at, especially in the middle of the office, where other people could hear it.

VM Is that behavior that you witnessed with other managers other than Constance?

JS Not at all.

VM So what are some other words you would ascribe to that short transaction? Professional, not professional, respectful. Not respectful. Borderline. You have any other words around that?

JS Yeah, definitely not professional. Yeah, not respectful. And then -she had to have known I was right there when she came out of the office, and then she just walked the other way and never. So yeah, I mean, she never acknowledged that she acted like it never happened. And I'm talking about me personally. I don't know about anybody else.

VM And you said that you talked to at least one other employee about the event. So what did the other employee relate to you that that this whole thing was about?

JS Janelle wanting to move desk. So yes, Becky retired, who was here a long time. And then Janelle, I think was planning on moving to her desk the whole time. And then I believe she got told, and it's not gonna be her desk. So she must have. This is where I honestly don't know if she complained or she said something, but well, she obviously must have, because that's why this whole ordeal happened. I just don't know what to be honest but.

VM And there were a lot of people, as you said, that heard this. So doesn't mean that it was Janelle that that brought the issues to Human Resources, but.

JS But I do know that's where it stems from.

VM Are people still talking about this?

JS Not that I know of, but I'm I'm really busy at the front counter, so I and I normally stay out of a lot of office politics. For the most part, I mean, I like to know what's going on sometimes, but. But yeah, I'm really busy at the counter most of the day so.

VM Tell me about office politics since Constance was hired about three years ago. Is it the same as before?

JS Well, no, I mean a lot of people that I've worked with for years and years are gone. Because I think she got rid of them. You know, you could, and to bring her own people in here and I mean the tone in the office. I mean, it's a totally different office now, which I mean change happens and I'm fine with change, but I think there were some good people they got rid of. Chris. Seems like what kind of seems like she went after him to get him out of here.

VM Was he targeted?

JS Yes, targeted for sure. I mean, yes.

VM Do you think that the people that left gave Constance a fair shot when she got that job?

JS I don't know just because a lot of it was the manager, so and they have their own meetings and they talk months themselves mostly. And you know, we're separate. Our regular employees are pretty separate from the managers, so that I cannot answer. I know us employees did the regular workers as a whole, we did for sure. We welcome her in. We got a gift for. After that. Anyway, yeah and. It seemed like it was. It was gonna be a good a good thing, but. I mean.

VM What gift did you give her?

JS I think it's a good thing for her people, but oh, wait, wait. I think it was a. Oh my gosh, I can't. I can't even remember. We just went in. You know we, well, pitched in money. I don’t remember.

VM So do you have a point in time where you thought, you thought it was gonna be good, then you realized it wasn't going well?

JS Yeah, probably about six months into it. When she started going after Chris Hutton, who was planning on being the next Clerk. No, he pretty much ran the office for a long time, even when Kevin Stock was here. He was respected by most people.

VM Why?

JS Beause she wrote them up and stuff. Where to make? Yeah, she she went after him. And so he felt like, I think he felt like he had to get out of here before he got fired.

VM Did you see anyone ever treat Constance disrespectfully?

JS I personally have not, no I'm not around her too much though.

VM Has anybody ever said any of the office politics talk about, you know, people ganging up on Constance with an agenda or anything?

JS No I've never heard that before. Not that I'm aware of, no.

VM So I don't want to put words in your mouth, but what I'm hearing from you is that it to your best of your knowledge, is that the workgroup welcomed Constance in and has treated her appropriately in the position that she's in?

JS Yes.

VM So I'm just asking you to play along and tou know, there's no wrong answer and there's no right answer, but - if I could, this is the sentence I'm asking you to ask yourself - *if I could change one thing about the clerk's office right now. It would be, what?*

JS For everybody to get treated fairly.

VM Whos not being treated fairly?

JS The people that have more here before Constance got here. So there's there's a major separation between the people that she has hired and the people that were here before.

VM And is it the people that that the difference is coming from the new people? Or is the difference coming from the way they're treated by management?

JS Treated by management. Yeah, no, they're they're fine. Yeah, I have nothing against them.

VM Can you tell me how they're different? How management's treating them differently?

JS I heard that one employee, I don't know if it's true though, so but, said said that - *Don't trust any of the people that were here before her.* But then I know that Casey her her, her assistant, Constance, her Assistant Casey, would take them out out on break and, like, go walk them and buy them coffees and stuff like that. And then I've heard that she's real close with a few people that just got promoted that haven't been here very long, especially one that's been here maybe a year. And I've heard that she buys She, like, buys her gifts and stuff. That's just what I've heard. I have not seen it myself though, so I don't have personal knowledge on it.

VM So who's the people that got promoted recently? That it's, and you did not use this word but I'm just for being concise, is that there could have been a a favoritism thing?

JS 100%

VM Who was hired based on that?

JS Brenda Clark and Jalea. I don't know her last name. But I like them personally, I have nothing against them. Personally, I like them.

VM Hypothetical: Who's to blame for what happened on Monday the 3rd?

JS Constance White.

Vm Is it 100% or 75%?

JS I mean, 100 'cause. She's. Yeah. She's only voice that I heard yeah. And yeah, this is, this is why this is uncomfortable for me today. I feel like I'm gonna get retaliated against now

for this because I know she does public. You know, she's gonna read all this stuff, so that's not fun, but. But I'm still going to be honest.

VM Well, we keep it as confidential as we can until a public records request is made And TH, step in here if I misstate this is that you know, depending upon what the allegation is, there are times we can redact information and it's my practice to tell people when we release records and I don't know if Pierce County always does that, but I would try to do this in this instance.

JS OK

VM I want to ask you one more question about Constance and that is that you said she was crying. Oh, no, you said she was yelling.

JS Yeah. Well, she was in tears when she walked out.

VM She was in tears?

JS It looked like when she walked out, yes.

VM OK.

JS 'Cause then yeah. She played the victim role, it seemed like.

VM Was she in the office when she said that? Or was she leaving?

JS It was the last thing she said before she opened the door.

VM Do you know that the context was?

JS Well, this is where I, so I didn't know at the time, but I believe it was just about Janelle wanted switching desks, so yeah. Then I was like, oh, man, all that for that minimal. I mean, it just seems like a very low. This doesn't seem very serious to to get that that that, that emotional for.

VM TH - any questions for Joey?

TH I don’t.

VM I am asking you to keep this as confidential as possible because we still haven't quite figured out the whole picture here yet. So if anyone should ask you, you can always deflect and say Vicki and Tara ask me not talk about it.

Closing comments / retaliation / confidentiality / EAP end at 3:02 PM

March 12, 2025 | Meeting with Nicole Carbone | 10:00 Am – 10:45 AM

Nicole Carbone (NC), Vicki Moll (VM), Tara Hallam (TH), notetaker

Admonishment and meeting overview

VM So us talking today about issues in the Clerk's office, does that surprise you?

NC So, this meeting does not come by surprise.

VM So going back to Monday the 3rd. Something started to go wrong in the office. What was your first recollection of that? Or do you have did you have a moment in time where you knew something was amiss?

NC Yeah. So I the morning of the third, I had a 9:00 AM check in with Constance. Her and I normally have either weekly or every other week one-on-ones. And so I had a scheduled one on one with her at 9:00 AM so I was not aware of anything going on up until that point of me going into her office for the 1:1. In terms of where I'm physically located compared to the rest of the office, my team we're kinda in a little bubble. We have CGIS requirements with locked doors and we're not attached to the main office and so a lot of stuff that goes on across the hall such as this event this morning or that morning, I am typically not in the loop of. Not a witness. Do not observe, etcetera. So my first alert to the situation was when I walked into Constance's office for my one-on-one. When I walked in. Tonya was in Constance's office, and they had let me know that situation had taken place where Tonya was walking by Janelle's workstation and Janelle was in the process of moving desks, which is - the two desks are, like, right across from each other, essentially. And what it was was that Tonya had asked Janelle why she was moving desks, and Janelle responded very emotionally, saying *why do you guys hate me?* That was all the information I was given at that point in time. I was then told that Janelle had just Teams messaged Constance asking if she could come over to talk to Constance about the situation. And I was told that Janelle was gonna be over at 9:05. Constance asked, given I was already over there, to meet with her for my one-on-one as I was not a part of the situation that took place in the morning. She asked if I could sit in on that discussion as a witness in more of a neutral individual who was not involved in that situation that morning.

VM What time do you normally get to work?

NC It really depends. On that Monda,y anywhere between 7:00 to 7:30 in the morning.

VM What was Tonya's demeanor in Constance's office, during your short time in there?

NC Yeah, she seems fairly calm, but like upset/disturbed by the situation. But her demeanor was calm as we were passing by, but bothered that the situation had taken place.

VM But could you tell if she was bothered by the employee moving or the statement that was made?

NC The statement that was made. And I think when I say bothered, I think the other piece of information… To kind of go back to what I think upset or disappointed her was that the supervisors did not follow through with their component that was communicated to them. So to back up to the situation, we had a management meeting on February 19th in person on the 10th floor. Those management meetings we have monthly and those include all of the supervisors as well as our Leadership team and then also typically depending on the month, Stephen who oversees a Law Library, 'cause he reports to the Clerk's office oversees certain components of that as well. At that meeting, it was verbally shared or directed for the supervisors to ask staff to not have people move desks. And that Constance had shared at that meeting that she would send something in writing for them to pass along to their teams. My understanding of the intent of that messaging was for two reasons. One, we knew that we had two individuals in that area that were leaving the office. One was retiring. One took a job promotional opportunity with Superior Court, and their last stay was the last. The last Friday of February, so the 28th. So we knew that those two spots would be open, but obviously we would need to fill those spots. And then the biggest driving factor was the remodel of the County-City Building and that there was an upcoming meeting scheduled for March 7th to talk about timelines and renovations, starting those renovations are gonna be starting in our records area and so we are gonna have to move staff around. The other component of kind of that intent is that my division got three additional staff and we don't have spots for them to go, so I am leaving my office 'cause I would rather disrupt my day-to-day than my teams, but I have to be placed - I have CGIS requirements based on the work that we do and the rest of the office does not, and we're not gonna ask them to do that because that's not a part of their job functions and they're a part of the union. And so there's a lot of moving parts. So that discussion verbally had taken place at our management meeting on February 19th in person, and that was the intent behind that messaging was the remodel, we know we have some folks retiring or moving on to new opportunities until we have a confirmed timeline, we are asking folks to stay put where they're at. Following that, Constance sent an e-mail on February 26th at 9:37 AM, it was sent to all of our supervisors and then she cc'd Tonya, Shaneeka and myself on it. And that e-mail asked the supervisors to advise their staff to not relocate from their spaces, and she explained that there was a meeting scheduled on March 7th with regards to the remodel and that staff were to be notified. So back to Tonya's demeanor. When I was in passing with Constance's office, my impression of, just the frustration, is that this situation could have been avoided if that information, if the supervisors did indeed pass on that information.

VM What was Constance's demeanor?

NC Similar. Calm but upset that the situation took place and I think frustrated with the supervisors cause from later on, of discussions I've had, it's my understanding that after Constance was alerted to the situation, she went into Melissa Engler's office and all of the supervisors were present in there. Or when I say all the three supervisors that oversee the main Clerk's office division. So that's Tyler, Melissa, and Whitney. And it was indicated that Whitney sent the notice to her divisions, which Janelle does not report to Whitney. But Melissa and Tyler did not send that communication to their teams, and Janelle reports to Melissa. And so again, I

think from my impression in passing was just the frustration that there was that disconnect in communication when there was clear directives given to the supervisors and that the situation would have been avoided if the staff were alerted of that messaging.

VM So now Tonya leaves and what happens next?

NC Yeah. So, Constance and I sit down and Janelle walks in and in, coming into the office, Constance just let Janelle know that I was there just as a third party to be a witness to the discussion. And Janelle said, *OK, no problem*. And Janelle, we're sitting at a round table, Janelle and Constance were sitting across from each other and I was kinda in the middle around the round table. The discussion between Constance and Janelle was directly between them. I never spoke. I was watching body language eye contact. The eye contact was directly between them. I was just kind of a witness there to that discussion. So when Janelle came into the office and sat down and her Constance started discussing Janelle. Both of their demeanors were calm. They had a very back-and-forth discussion. Of any emotion that was present, it was very calmly displayed. There was no raising of voices. There was no yelling. No, like outrageous physical hand movements of, you know, talking or anything of that nature. They were sitting down and engaging in a dialogue about the situation in a professional manner. From my perspective, when Janelle sat down, she said that she wanted to come over and apologize and see what she needed to do to essentially resolve this situation. And essentially, she said that she feels like there's a lot of in that moment she was feeling a lot of pressure on her on her. She did not clarify what that pressure is. Who was that pressure is coming from? I can make an assumption when she says pressure: One of the Legal Assistant 3's (LA3) from her division, who had worked in the Clerk's office for 30 plus years, retired that prior Friday. So I would assume her feeling pressure is, you know, being down an individual in her division that had a lot of institutional knowledge and did a significant large volume of work. But again, that's my interpretation of what she was implying by pressure. She did not define what pressure meant. So with that, she just said she was feeling pressure and responded any emotional response and said that she does not feel like Constance or Tonya hate her. She said she was not sure why those words came out of her mouth. And that was just based off of how she was feeling in that moment. That was her emotional response. Constance's response to that was Constance acknowledged that she accepts her apology and Constance made it very clear that neither Constance or Tonya hate anyone, and Constance's main point was just that words matter and in the professional setting we should be careful about the words that we utilize. From Constance's perspective, the word hate can have a strong meaning behind it and we should be cautious again as to the words that we use. Janelle's response to that was I didn't say *I hate you guys*. As I said, *you guys hate me*. But nonetheless, Janelle just kept apologizing. And Constance politely told Janelle, you don't need to keep apologizing. I've accepted your apology. And then Janelle was asking what she needed to do essentially to resolve the situation. One thing that stood out to me in that meeting was Janelle kind of diverted to say that there was a disconnect between the Leadership team and the staff in the office. Constance asked Janelle to give an example or what she meant by that, and in that meeting she did not give an example. She did not share what she meant by that. So in response to that comment, Constance just explained that in general, you know, we meet with the whole management

team on a monthly basis to share information. We also have monthly All-Staff meetings, Constance explained to Janelle in those all staff meetings, it can be challenging to share lots of information. They're normally kinda shorter check ins, you know, office wide. We have a lot of divisions, a lot of different work going on in our office. And then Constance also shared with Janelle that Tyler, Melissa and Whitney, so the three supervisors who oversee the main divisions of the Clerk's office, had come to Constance a while ago and felt like it would be beneficial for them to have their own check in with Constance and Tonya monthly, in addition to our Management Team meeting. So that way they could address more specific challenges, improvements, projects going on in their division. So that has also been implemented. And so something that you know, Janelle had said that she just tries to follow her chain of command with regards to issues, but she doesn't feel like all the issues that are going on in different divisions are communicated up to the Leadership team and so there was just a discussion of again, how often who we meet with, whether that's the Leadership team, the Management team, those supervisors. Constance reiterated, you know, *I understand and respect you wanting to follow the typical chain of command. But if there's anything at any point that you know needs to be addressed and you feel like it's not being addressed like I have an open door. You're welcome to come into my office. If I'm available, I'm happy to meet. You're welcome, and anyone in the office is welcome to Teams message me at any time and schedule a meeting, I am here to support the office and available.* And so, Janelle said, *thank you.* In terms from there, Janelle looped back to, you know, *what do I need to do from here or how do we resolve this?* Constance said that she was not in the correct space to talk about that and that. Maybe in a few business days they could reconnect and have a follow up discussion. And that essentially is what I recall from the meeting. Janelle thanked her for her time and the only other thing that Constance did share with Janelle was also, as I just tracked out, that there was an e-mail sent to the supervisors. So, Constance did share that information with Janelle in that meeting, that should have been sent out to the staff to give notice. This was not a situation where Tonya just felt like one day, you know, to stop someone and ask why they were moving desk, that there had been multiple discussions and communication with expectations that were supposed to get communicated out to everyone, let me just recheck the notes that I took of that meeting…

VM Can you forward your notes to Tara and me?

NC I can do that.

VM Was anyone crying in the room?

NC Constance was. Janelle was not. And something else Janelle kind of on that topic had made comment of which I may have alluded to. As well in the emotional response, Janelle had said, I'm not a very emotional person, so like this situation, my emotional response to this kind of caught me off guard. She said me, Janelle, off guard in that situation. So Janelle was fairly stoic, no significant kind of physical, emotional signs. But Yes, Constance was not hysterically crying, but in times she was tearing.

VM Teary or more crying?

NC I would say more teary. She wasn't like actively like, bawling, crying. She was just tearing up as she was talking. And it's my impression, based off of Constance's emotional state of, you know, being teared that she wanted to kind of regroup herself. And that is why she responded to Janelle, let's connect in a few days to have a follow up to determine next steps kind of forward. The other thing that Janelle had shared in that meeting is that she had met with Tonya after this incident took place as well before coming over to Constance's office to talk with Constance. And I think it was just Tonya and Janelle that had met. I would assume that was in Tonya's office. I don't have that information. I was not present for that, but Janelle had just commented that from her perspective, she felt like she had a good meeting with Tonya about the situation.

VM Anyone talk to you on Monday, March 3rd about this event.

JC No.

Vm Anyone else subsequent to Monday?

NC Yeah. The only three people I've had discussion about this incident with this, Constance Tonya and then Janell in that meeting.

VM Have you seen Constance get teary in meetings in other meetings?

NC Yes.

VM Do you remember what the meetings were about or when?

NC I would say I've seen Constance teary at a handful of meetings. Normally, those meetings are just with our Leadership team. So that would be Shaneeka, Tonya and myself. In terms of topics, it's like a wide variety. My interpretation, and again, this is just my perspective, is that there are so many pressures/ projects/ challenges/ audit/ other stuff, and I just think all of those pressures, like sometimes when we all sit down to work through some of those challenges, it's just a lot of pressure. And she, yeah, sometimes gets teary eyed as we're trying to process and work through some of the challenges that have been facing this office.

VM Are there other people in Clerks office that you've seen cry?

NC This morning, Shaneeka was teary eyed. I saw her in the hall again. She's our Fiscal Manager. With this audit and some other stuff and pressures, I know she feels at capacity, and just very stressed and overwhelmed. Umm, outside of that. Not a specific situation that I can recall. Again, I I spent a lot of time with my division in Pretrial. And there's no situations in our division that I have seen folks get teary eyed. And again, I I don't spend a ton of time. I try since I am on the Leadership team, I try to pass through that space and just be a friendly face and say hi to folks and sometimes have some small talk to kind of get to know some of the staff, but I don't take lunch breaks. I don't go to our lunch room. So I'm like I said, pretty isolated to my space and Constance's office space is like on the same side of the hall that I'm on. And so I'm not around a lot of our office staff on a daily ongoing basis. I try to pass through here or there. So that way, if folks want to approach me, I'm available. They know who I am, but beyond that, yeah. I'm not with the main chunk of our office across the hall from me.

VM Have you seen Shaneeka get teary eyed or cried at work before?

NC Probably. At some point and again, that situation would be very similar. With last year's audit and just the pressures, a lot of that is funneled through her trying to understand the scope of her job, I think, you know, lingering kind of mismanagement, misunderstanding of how tasks are supposed to be done related to some of those tasks within the audit. And so she works really, really hard and really, really long days. Umm, and I know she's been really committed to continuing to do the work and trying to stay focused on it, but there has been a lot of pressures and I've been in meetings, you know, with prior administration when we were kind of preparing for the audit that we've they've been going through currently. And again, just some of those pressures, I think. Just that sense of feeling overwhelmed. So I don't have a specific meeting that I recall that, but I am sure not on a frequent basis "is she teary eyed?" But I think right as you kind of ride the waves of different projects deadlines things going on there have been significant pressures specifically on her and her role, absolutely.

VM Closer to the beginning of when we started our meeting, you talked about the meeting on February 19th where it was relayed that there was a project coming up and Constance would follow it up with an email. Was she teary eyed at that meeting?

NC I don't recall her being teary eyed at that meeting, no.

VM At that meeting, was there a discussion about a binder?

NC So I, yes. So that meeting that was one of the last items that we covered at the meeting. There was a red binder that she had, a maroon binder, that she had sitting on the desk or on the table. What I recall from that meeting is she informed everyone in the room that day that her and Tonya had located that binder. She explained that she had gone back into the records area. I don't recall on what day it was, but within a week or two of us having this meeting and saw an employee really struggling with putting a piece of paper into that binder and Constance asked, you know, *is there something that I can help you with*? Not knowing what that binder was and the employee just acted very frantic and was trying to just shut the binder in a drawer. So, Constance did share at that meeting that she went on her way, but she did go back into that area after that employee had left and searched in the drawers and located the binder buried under paperwork. And I don't recall what the name of that binder was titled, but essentially it had documents that have come through our office. Been printed out that, umm, employees from our office have contributed to for many years. I'm aware that there was two prior binders located previously. And they, you know, one was, "funny names" that have come through. Another one was just miscellaneous stuff that staff found funny. But there's a lot of information in all of those binders that violate our confidentiality agreement that we sign. There is sealed information that should not be printed out and placed in a binder, so definitely mismanagement and inappropriate, unprofessional behavior with regards to the very sensitive information that our office works with. So Constance passed the binder around the three supervisors of those main divisions saw it first. From my position, kind of watching body language, they kind of looked at it as if they had never seen it before. Kind of flipped through some of the pages. And it got passed around the table back to Constance. Constance's messaging was she informed

everyone that she had located 2 binders previously. She was unaware that there was any more binders. I know from information she shared with me previously, I think she had discussed with HR related to the binders as well as Bruce, the prior County Executive, and Dan, as to what to do with those binders and how to handle it. She was hopeful that by removing those two binders that that would send a message and folks would stop contributing that type of unprofessional material into spaces such as those binders. And essentially, she calmly, but firmly, communicated that she was very disappointed that this type of behavior has been determined acceptable over the last many years, and that it's the culture of our office and that moving forward like this is not gonna be acceptable. And so she put a request out to everyone at that meeting that if they were aware of any additional binders in our office that they needed to bring them over to her office by close of business day that day, no questions asked. And just moving forward, that they needed to ensure that these binders were not present in our office. I will say, Tyler and Melissa were pretty teary eyed as that binder discussion was going on. And I do know after that meeting Melissa came into Constance's office because she was worried, I think, about her job security. Because she did inform Constance that she was aware of those binders existed. And I think that she had contributed to them in the past. I don't know if that was in a supervisor role or not. I was not there for that discussion, but I was informed that she was the only supervisor that came over after and specifically acknowledged about knowing about the binders apologizing and indicated that she was not aware that of any additional binders. And it's my understanding that no additional binders were turned in by the end of business day that day. And then oh, sorry, I was gonna say, and I would have to go back into my e-mail. Constance did, I know she had talked to Scott about this as well. And Scott directed Constance to send an office wide e-mail about the binder. I know she had talked to Scott about this as well. And Scott directed Constance to send an office wide e-mail about the binder. So Constance did, and Scott was cc'd on that. And basically, it was the same request to the whole office, essentially explaining that she's aware now that these binders exist. This is not acceptable. This violates our confidentiality. The agreement that we all sign, she attached it to the e-mail for reference. And put the same message to the whole office as she did our management team if anyone's aware of any additional binders please turn them in by the close of the following business day no questions asked,

VM Can you fwd that to TH and me?

NC Yes. Oh, and I was just gonna add. There's been a follow up e-mail about confidentiality agreement stuff that I could also forward related to Jessica's situation with my team. Again, mishandling inappropriate behavior in the main Clerk's office. Information sharing that was unprofessional, and so Constance did talk to Scott and sent an additional e-mail. And that was something, Jessica's name's not in it, but the timeline of it, obviously it's very clear the situation that she was referencing, so that was one thing. When Jessica returned, I did sit down and have a discussion with Jessica. I would rather be transparent with my staff, so that way she didn't just come across that e-mail on her own. So Jessica and I have had a good discussion kind of about that situation as well.

VM In the February 19th meeting talking about the binders, was there a conversation about a letter?

NC Yes. Yeah, it was my understanding. One of the documents in, I think, that maroon binder that was located, was a letter that maybe a mother had written to their son who was in custody and Constance had used that letter as an example of something that was in the binder. And our office's role in passing information along. So we get like a lot of jail mail that's sent to the office and that has historically been something that's been placed into these binders. And I'm not sure what our offices were like, what the processes in us getting that mail and who that mail is supposed to go to? I'm not involved in that component of our office and that work. But Constance had just used that as an example. And a lot of time had passed and that she just had said if she had a son who was in custody and there was, you know, mailed that. You know, would want to have trust in the system that that mail would get delivered and Constance had indicated that it was disheartening to her that our office has been a keeper when we're supposed to kind of be a middle man of this information in the binder and that she hopes that both the son and the mom are still alive. And she'd indicated that maybe she was going to try to get the mail to where it needed to go.

VM Was she teary eyed in that delivery of that message?

NC I don't recall her being teary eyed in that meeting at all. I was not sitting… I was at a far opposite end of the table and not like directly across from her, but again, I don't recall her being teary eyed in that meeting. In her tone of voice, like there was a sense of disappointment in, you know, sharing this information and frustration. But it was a very calm discussion, information sharing. She was firm in her directions to the staff, but when I say firm not in like a disrespectful, unprofessional way. I think it was just clearly communicated from a place of frustration and caring of the information that we have not properly handled.

VM There's been a lot of turnover in the Clerk's office. Have you heard people talk about that?

NC I have not. Outside of me being informed like, oh, this person's, you know, submitted their notice or they're moving on to this opportunity. Yeah. Again my, I feel like I'm kinda in my own little world with my division. Obviously, we're housed under the Clerk's office, and yes, I work a lot with Constance in our Leadership team. But the work of my division really doesn't fit within the Clerks office.

Buffering 10:39 AM

Vm You broke up – you were stating that your work doesn't fit with Clerk Office…

NC Yeah. So with that, I was just saying I am aware that yes, there's been turnover prior to me coming here. I started in December of 2023 and since I have been here, been here. Yes, there has continued to be turnover. With that, I was just saying that the division that I work within, I have not experienced any turnover and I'm not… I'm not anyone's… I don't oversee the supervisors of the staff of the division that have experienced turnover. So I'm kind of the least familiar with. I think probably the vision of what could be driving that or not driving that, but since I am on the Leadership team, I am informed when someone's given their notice, etcetera.

VM Did Constance hire you?

NC Yes she did.

VM I want to ask like a percentage question. Because you indicated that the conversation that Janelle and Constance had was about the words that Janell used. And I think you may have said this before, but, in your opinion, was the whole 'debacle' - my word, no one else's - was it 20% about the employee moving, 20% about the communications, 60% about the words used? How would you attribute the percentages to the issues of the employee moving communication breakdown - again, my words. no one else's - and then the words that Janelle used?

NC That's a great question. So the situation that took place: the words, and then… Ehen we say communication, like are you referring to kind of the breakdown in communication between the direction that was communicated and supervisors not sharing that with their staff? I mean, obviously the situation started with the move. So obviously that's definitely a component. I mean, I'd say maybe 30% related to the move. Yeah, I mean maybe 30% related to the move. 30% related to the communication and 40% related to the words that were used. Obviously, those were all key dynamics. In the meeting with Janelle, like think, obviously the meeting was about the situation as a whole. But there was an emphasis, a little bit on the words used for sure.

VM Did do you know what happened to the first two binders? Going back to the binder issues?

NC I do not.

VM And did Constance say in that meeting what she intended to do with the maroon binder?

NC I don't know that she said what she was gonna do with the binder itself, other than she had just shared with the whole meeting that there had been discussions with Scott kind of seeking guidance of how that situation should be handled. And it's my understanding with the prior binders that there had been discussions with your guy's' office as well as them Execs office. But I wasn't a part of any of those discussions related to those binders

VM TH – any questions for us?

TH None.

VM Nicole, do you have question for us?

EAP / Admonishment / Closing Comments: end at 10:47 AM

NC Follow-up items: And then in terms of next steps or what I owe you guys essentially just to make sure I have my notes correct, my notes from the meeting with Janelle and Constance and then forwarding the two emails, one related to the binders to the Clerk's office staff and Then one related to the follow up e-mail, again

related to confidentiality and kind of the situation that took place with one of my team members.

March 12, 2025 | Meeting with Tonya Moore | 10:00 AM – 10:45 AM

Tonya Moore (TM), Vicki Moll (VM), Tara Hallam (TH), notetaker

TM So I asked for it because subsequent after we had our meeting, it was brought to my attention that Janelle was telling staff that she felt like I berated her, which I don't feel like I berated her. I just was simply asking her questions about moving the desk and if she had gotten information from the supervisors. That she wasn't to move her desk. It was simply a conversation. Even her, her and I even had a conversation after I talked to the supervisors that I thought went really well, where we talked about the lack, where she felt like there was a disconnect between the supervisors and the Leadership team with providing information to staff. And we even talked about how. Constance and I were going to start having meetings with the LA3 to make sure that they were getting, you know, that they have opportunity to meet with the Leadership team directly. So that there isn't that disconnect. So they would have the opportunity to to address issues with us directly.

VM I mean, are you hearing this from one person or are you hearing this from three people or six people?

TM One person

VM Who?

TM Casey heard it from Jason. One of our BA's.

VM And then so Jason was talking to Casey and Casey brought it to you?

TM Yes.

VM So have you interacted with Janelle since you've been back?

TM Yeah, I had a meeting with her this morning.

VM How did that go?

TM It went fine. It was with me, her and Melissa regarding the training of the new LA3 going into Dockets.

VM And what is it that you want us to do about this information?

TM I just want guidance on how I should handle it because this department is very toxic. There's a group of staff who have been here for a long time and some of them I've known because I worked in Superior Court years ago, for 15 years. And then I went to Thurston, and I've come back. And they have a tendency to try and push people out, and they have a tendency to be retaliatory and to be bullies. And I just.

VM Who?

TM It's, well, Becky's gone. But it was Becky, Melissa Bucknam (Jaso), Melissa Engler, Tyler Wherry, and Janelle is also a part of that group.

VM So, you didn't work with Melissa Buckner (Jaso) when you were here before, but you worked with Becky and you worked with Tyler?

TM No, I didn't work with Tyler, but I worked with Melissa Engler.

VM OK.

VM So, it's Melissa and Becky that you worked with before, and so, you've labeled the work group as toxic. What does that look like?

TM Well, I'll start with Tyler and Melissa. They were given specific instructions to let staff know not to move desks because of the construction, and they didn't. It was them, and Whitney confirmed in the e-mail that she did. She responded back that, understood. They didn't. When I went in to talk to them about it, Melissa says, "*Oh, I didn't see that e-mail".* It's hard to believe that she didn't see an e-mail from, you know, four days prior. But if she didn't, she didn't. I struggle with whether she really, truly didn't see the e-mail or not to be honest, because she knew that she had already told Janelle, she could move desk from what Janelle had told me. And why she didn't say anything that morning when I asked her about it. I don't understand. Because Janelle said that Melissa had already told her she could move. But Melissa didn't say one word to me about that that morning.

VM You've labeled some people in this work or the work group as a whole in the Clerk's office as toxic. Is that right? What does that look like?

TM I guess this is how I look at it. I've been here for almost a year. And I've tried to connect with them. I've like tried to come in and say good morning. Half the time they don't say good morning back, Melissa Buckman (Jaso) has told another supervisor that the Leadership team doesn't like her, and I've never once said anything about not liking her. I don't even know her at all. I've had maybe one or two – very few – conversations with her. I mean, we've had conversations about football teams because I'm a Steelers fan, and she asked me how I was a Steelers fan, and we talked about that 'cause I'm a military brat. But other than that, we've never really had any conversations. I've spoken to her, and she doesn't speak back. I mean, so I don't even know why she would even say that I don't like her.

VM Who does she report to?

TM Well, she used to report to Tyler. I'm sorry. She just moved into. Now, she reports to Melissa. She just switched positions.

VM So, with the toxic environment you feel like you are being shunned? I don't want to use a word you're not comfortable with, but…

TM No, no, I'm not shunned. I just feel targeted, and I feel targeted. Yep, because Tyler applied for this position and didn't get it. And I didn't know that until months after I got here.

VM So, he's targeted you in what ways?

TM Not Tyler specifically. I don't think Tyler's targeted me. I just feel like maybe the rest of them have. I just feel like they're upset that he didn't get the position. They're taking it out on me.

VM Who?

TM Like Melissa. Like it went back… Yeah, both. When Becky was here. You know, she wouldn't speak to me either. Janelle and I were fine up until the desk incident. I didn't really have any issues with her until then.

VM But you labeled her as one of the people that's bullying and retaliating?

TM Yeah, she's a part of that group.

VM Do you feel like they don't want you here? They want you to leave or what are you saying?

TM I don't know if they want me to leave, but I know they're not happy I'm here. They wouldn't be sad if I left, and I also know they're not happy with, I'm assuming, they're probably not happy with some of the decisions that have been made about hiring and the last group of hires that we made.

VM So, when you say they're not happy, who are we talking about?

TM Well, all I can say is Janelle, and the reason why I say that is because when we had that when her, and I had that conversation last week, she kept hinting around when we were talking about. She was talking about how she was stressed. She was just overwhelmed and stressed out with all the work with Becky leaving, and I made the comment I said, "*Well, that's the reason why we made the decision to keep a second LA3 in Docketings*." Because we were trying to decide when we're hiring three new LA3s, we hadn't made a decision where they were going to go. And so, we made a decision to keep a second LA3 in Dockets, and so, I said, "W*ell, that's why we made a decision to keep a second LA3 in Dockets because we recognize there's a lot of work in there".* And she said, *"Well, yeah, but from who you probably hired, that's just gonna be more work on me*."

VM From "*who you probably hired*" or "*whom you hired*?"

TM She said "probably" because we hadn't announced who we hired, but on the Friday before, we had let everybody know. We already had let people know. We already let the regrets know, and we let people know who got the offers, but we hadn't let the office know publicly. We hadn't sent the e-mail out yet. So, obviously people in the office had already talked about, "*Oh, I didn't get it."* I mean, she just kept throwing out little comments about, you know, about the new LA3. Janelle did.

VM Tell me more about that conversation then that that whole conversation.

TM I'm just frustrated. I've worked in public service since 1996. I've never dealt with this kind of stuff before in my life. I left a job I really loved to come and work here and to deal with this kind of stuff. [crying]

VM Take the time you need.

TM So, the conversation was that she felt like. That a lot of the things that the Leadership team doesn't listen to staff, and you know, I kind of explained, "*Well, you know, there's a chain of command and that staff really should go to their supervisors*." And then, the supervisors should provide the information to the Leadership team. That's why we have the department management meetings once a month, and then, that we actually have the Operations Meeting with the supervisors so that we can. So, those whatever issues or concerns that staff have that the supervisors can bring them to either one of those meetings and that actually the Operations Meeting was the suggestion of Tyler, Whitney, and Melissa because some issues they didn't want to bring before the whole management team. They kind of wanted it to be a more smaller, intimate setting with just me and Constance present, and so, we, you know, we were like, "*OK. That's fine that way. It's just the five of us and that way we can address issues."* But even with those meetings once a month they still they don't bring issues up, and so if they're not bringing those issues to us, we can't address them if we don't know about them, but also, that my door's always open and Constance's door is always open and that if they don't feel like their issues aren't being heard by their supervisors, they're more than welcome to always come directly to us. You know, once they've gone to their supervisor first. And, you know, she was just like, "*Well, I just think the Leadership team should come to us*." And I'm like, *"Well, sometimes we do, depending on depending on what it is."*

VM So, this conversation that you're relaying, is this the conversation where you first met with her in the morning, or is this a subsequent conversation?

TM This is a subsequent conversation that I thought went really well, you know, and she talked about how, you know, that she talked about, even how the office atmosphere has changed. I don't know if she used toxic, but that it's the office isn't as enjoyable or as nice, something along that line, as it used to be and that she works really hard for under Morale Committee to come and try and make things more enjoyable and bring the office together. And I'm like, *"Yeah, you do a really good job with that and I appreciate it. All the work that you put into the Morale Committee to try and bring the office together."* And then, we got back to the desk and, you know, and I explained to her, I said, *"You know, with the remodel, we're just we're asking for no one to move desks because we have to move records and DV that whole half of the office to this half of the office, and until we get their construction schedule and see where we have to move people. We're asking nobody to move because we don't want people to have to move multiple times. And so we're trying to minimize movement, but once we get that and we have a meeting the following Monday, then we'll be able to determine when people can move and possibly move people to a permanent spot so that we're not moving people multiple times.* I said, you know. *Part of it is Jason, our BA. We were gonna move him to Becky's spot because he needs to be somewhere with a bigger space because he has to have multiple monitors and be able to have multiple machines because they wanted to move him across the street.* Well, that means he's gonna be running back and forth across the street multiple times a day trying to assist people when their machines aren't working. And it just made more sense for him to take Becky's spot because it's the biggest cubicle that we had available.

VM So there's a couple of things. We don't really know what it was that Janelle said to Jason. Because we only have what Jason said to Casey. I will tell you from you know, I've talked to having other conversations, there's a lot of people talking about the event in the office. So are you aware of that?

TM No.

VM You are in a Leadership role, you know you have the authority to ask an employee what's going on. You know, if this is a represented employee and discipline could be an outcome, then there's certain procedural things that have to be honored like an opportunity for a union representative to be present and things like that, but it's entirely in your purview to seek somebody out and to ask them clarifying questions about a thing or about things.

TM Right, and it wasn't; it wasn't a discipline thing. It was just simply asking why she was moving to that desk.

VM No, I meant the subsequent conversation that Jason related to Casey and Casey related to you – is it would have been OK for you to ask Jason, "*what did you hear"* directly, because you know this is an important message, and I want to make sure I got your words and not Casey's, and then, it's also OK if he comes back and says, yeah, you know, "*Janelle told me this*," and it's OK to ask Janelle, "*I've heard that you feel like our interactions for one or both of those conversation, or some combination thereof, didn't go well. I specifically heard the word that you felt I berated you, and if that's accurate, well you know, I wish you'd come to me."* I don't want to put words in your mouth but whatever words you're comfortable relaying to an employee and then getting clarification – all of that is OK.

TM OK.

VM RC3 [redacted].

TM RC3 [redacted]

VM RC3 [redacted] So, you stated earlier that you're looking for guidance, but then, you've also brought up bigger issues that aren't condensed to like a person or an event. You've talked about the workgroup or the workplace being toxic. You've talked about workplace bullying. I'm not sure I got a good idea of what that looks like to you at this moment?

TM Right, it's just because it's not like I can pinpoint one incident – it's like when you walk in, and people just give you dirty looks or they just, you know, they don't speak to you when you speak to them, and or you're in a meeting and they're rolling their eyes whenever you're speaking to the group. And it's just little things like that. And it's like, OK, you know, and I just, I just let it roll off my back because I'm just like you just get to the point. You just concentrate on the ones who are happy to be there that interact with you that. That are positive. You just concentrate on that and you just kind of just let the rest of it just roll off your back and just…

VM Does Constance know that you feel that the workgroup is toxic?

TM Yeah.

VM Has she been able to provide you any guidance?

TM Yeah, we've, we've talked about it, yeah.

VM Is anything changing?

TM No.

VM Does Constance also know that you feel bullied by them? These employees that you've identified?

TM No, I haven't told her that.

VM So, in that same kind of conversation that you mentioned bullying, you also talked about pushing people out. And you feel like you're being retaliated against. Who? Who has this group pushed out?

TM Well, it's before I got here. I've heard that they've pushed other people out but that's just rumors.

VM Who?

TM Somebody named Kayley [Carrillo] that used to work here.

VM And when you talk about retaliation, you're talking about the rolling of the eyes and people not speaking to you? So, who's rolled their eyes at you in a meeting?

TM Melissa Bucknum (Jaso).

VM Is that the same meeting that she rolled her eyes at other people? Or different meeting – different times?

TM Yesterday ,at the staff meeting. We were talking about FMLA stuff that…

VM And she rolled her eyes at an FMLA conversation?

TM Yeah. It was just a simple reminder that at five days, the supervisors will have to start FMLA, but that's just her. That's just her personality. It doesn't matter what you're talking about. If Constance is talking, she'll roll her eyes. If I'm talking, she'll roll her eyes. You know, if it, that's just her personality. Like I said, I've just gotten used to it and I just let it roll off my back.

VM Do you think she knows she rolls her eyes?

TM Yes

VM Do you know if Constance has talked to her about that behavior?

TM I don't know.

VM Do you know it's OK for you to ask Melissa to come into your office and say, "*Yesterday, when we were in the meeting talking about FMLA, I noticed that you rolled your eyes. Can you tell me more about that…?"* or *"it made me feel…"* and then fill in the blank?

TM So, honestly, because this is the first time I've ever worked with a Union, and I really don't know what I can and can't do when it comes to the representative employee.

VM Well, there's no difference other than they have a collective bargaining agreement that outlines or determines how we co-manage the employee around working conditions, but when it comes time to behavior, there's nothing in the CBA that is going to cover them for behavior that doesn't meet your standards. If you feel at any time an employee's being disrespectful or inappropriate, then, you can ask them about that. The only difference is with a represented employee, you'd need to tell them they have the right to Union representation for that meeting because the outcome could be discipline. If you want to take discipline off the table, you can say, *"You're not going to get a union representative because there's no discipline on the table. So, I just want to have a conversation with you.*"

TM OK. All right.

VM But there's no reason for you to lower anyone's bar…

TM OK.

VM …Everyone should meet the same professional, appropriate standards…

TM OK.

VM …There's, you know, business acumen that covers what your face says…

TM Alright.

VM …Whether or not you say, "I*'ve noticed you don't say anything to me when I say good morning…*". I do want to caution you about jumping to the conclusion that they heard you though, because lots of people have earbuds in, and they don't hear you, or they're hard of hearing, and they don't hear you, or they're super concentrating on something else, or they thought you said good morning to someone else…

TM OK, OK.

VM …So, in those instances, we want to assume good intent because assuming bad intent doesn't do us any good unless we talk to the employee…

TM OK.

VM And we are here to help you in Human Resources if you want to practice or ask us, you know, ask us questions about how to start that meeting, what should be covered and those kinds of things. I want you to know, though, if you have a discipline meeting, a Weingarten meeting, an investigatory meeting, you don't go into that meeting alone with the employee and a Union

Rep. So, that's one of the few absolutes I have. You never go into a meeting with a Union Rep and an employee alone.

TM OK.

VM And lots of times employees will ask if they can bring their Union Rep with, you know, a meeting regarding a minor discussion you have or their performance evaluation or anything like that. The answer is no..

TM OK.

VM So, sometimes people bring up that it's a toxic workplace, or they've experienced retaliation. Do you believe this is based on anything personal about yourself? Your own personal makeup like your race, your gender, your religion, your ethnicity, creed with any of those?

TM I don't wanna say. I don't think so. I hope not. I really hope not. I honestly think it's more. I think it's more that a lot of people have been here for a long time, and they were hoping that they were going to be in these positions, and because they weren't placed in these positions and that other people are now in these positions, they're just not happy. That's all. I don't wanna say that it's based on race. I really don't. I really don't wanna say it was based on race.

VM The reason I bring it up is because there's different legal threshold, so some of the words that you've talked about maybe don't rise to the level of illegality unless you're telling me there's a nexus to a protected class. I'm not hearing you say that.

TM Right.

VM So, I want to go back to that you're in a leadership role.

TM Yes.

VM So sometimes I ask employees who aren't in a leadership role, you know, what do you want to do? What do you want to have happen to improve things? And how would you respond to that if I ask you that same question, you know, what do you want to do? What would you like to have happen to improve things because you're in control of that. So, I mean, I'll still ask you what 'cause I still think it's valid to hear the areas that you maybe need assistance with from somebody or guidance from us is, what do you want to have happen in the Clerk's office?

TM Honestly, I think our biggest issue is our supervisors. They're the barriers to things changing. Because I don't think they know how to separate from being friends. They went from staff, and now, they're supervisors, and I don't think they know how to truly be supervisors of their friends, and so, they're still in friend mode, and they don't really supervise. And that's the hard part – making them accountable for their actions.

VM Do you do their performance evaluations or did you do them for 2024?

TM I'm. I'm getting ready to. That's the other thing, they don't, before I got here, they didn't do performance evaluations here, and so, that's the one thing Constance and I have been working on that this year for 2024. Everybody is doing performance evaluations for everybody.

VM Well, why now? Because Constance has been here for three years, so…

TM Well, once she got here, they started doing them, but before she got here, the prior Clerk didn't do performance evaluations. They did like the six month and a one year, but after like a couple years, they just didn't do them anymore. And like, I oversee the Board of Equalization and I have to do the two people out there, and they have no performance evaluations. And Kim, Kim Shannon. And Ginny, I forgot Ginny's last name [Lemagie]. But Ginny is new. I don't think Ginny's been only out there for two years.

VM So, nothing that appears in a performance evaluation should be a surprise to the employee. And so, are these conversations you've had with the three supervisors that they're not being accountable, that they're not managing their staff correctly?

TM Yeah, and well, and they don't keep… I just had a conversation with them because they don't keep supervisor files, and when I had a conversation with them, this is what their comments were. "*I haven't had to counsel anybody."* I'm like, *"You don't keep supervisor's files only when you counsel somebody. You keep supervisor files for everything. So, if someone does something really good or they've completed a really major project, you make notes of it. So, when it's time to do their performance evaluation, you have all that documentation to include in their performance evaluation."* I put it on one of our agendas for one of our department management meetings. I pulled information from the intranet, the supervisor, file information. I sent it out to them and talked about why it's important to keep supervisor files because they weren't keeping them. That's one of the things that I've talked about and that's one of the things I'm going to make sure to put in their performance evaluations is that they are to maintain supervisor files for each of their staff.

VM What? About not managing their former peers correctly, now that they're supervisors?

TM That's what I'm struggling with. They all do their job really well, but when it comes to managing their staff…, and I would give you a prime example. So, Fernanda is one of our new Domestic Relations Facilitator. She started in July. Her six-month evaluation was going to be up in January. Tyler comes to me a week before it was up and was saying, "*Well, I think I need to extend Fernanda's six-month evaluation period."* And I'm like, "*OK, why?"* He goes, *"Well because you know. She can never get here on time."* And I'm like, "*OK. Well, you know, have you documented this throughout her probationary period?"* Well, no, not really. He was only like *the last couple weeks* and and he goes and Char and Jessica, the other two Facilitators have started complaining that she isn't doing her work in the queues. *Well, have you met with her about this? Have you been documenting this through her probationary period?* And he's like, *no*, I'm like, *well, I don't think you can extend her probation*. I said, *if you haven't been documenting, it's through her probationary period and you're just now bringing this up at the at the 11th hour. We can't extend her probation for that reason. You should have been documenting this throughout. If this has been an issue throughout her probationary period,* I said*, you're going to need to pass her.* And I said, *then if it's truly an issue then you need to make sure that you're documenting this moving forward and and needs to be reflected on her on her next on her next performance evaluation. This is how they manage staff.* You know

Brenda, who we promoted to the LA3 in Dockets, the one that the the one Janelle didn't want. When we met with the supervisors and we talked about who we were gonna, who we were gonna promote, then I hear, *oh, well, you know. She doesn't know everything. She, you know, really struggled as an LA2.* That's not reflective in her performance evaluation. Well, as a matter of fact, the only performance evaluation she has is from her six-month probation evaluation. She's never had another one done, and she's had her Bronze training. She's halfway through her Silver and she has all these other training. She's the backup to Probate and Guardianship, and she's a backup to Domestic Relations Facilitator. But you're saying that she that she shouldn't be the LA3 because she you….

VM Were the supervisors left out of the this hiring process on purpose?

TM Yep. Because we had. We had heard that they had already told people that they were gonna be the next LA3.

VM They told people that those people would get a promotion? But we don't know that to be true, because we didn't ever talk to them?

TM Alright.

VM So it's an odd reaction to words we don't know if they're true or not.

TM Well, considering the reaction that they had, it was probably pretty much true.

VM But we don't know?

TM Yeah. So.

VM And we took action on a process that normally they'd be included, based on supposition and hearsay?

TM So we had two people outside of our office sitting on the panel.

VM And was this wasn't discussed with the supervisors that we've heard rumors that you you're 'talking crap' - my word no one else is about these individuals or have made promises to other people? That's highly inappropriate to tell somebody they're going to get a job, they're going to get a promotion and that really should be investigated and it should be. Yeah, that's not right. But then we didn't do that, and then we made a change in our process based on again things we don't know to be true? That's also concerning.

TM Mmmm.

VM So the some of the things that you brought up, like the supervisors not maintaining files, not doing performance evaluations, these are things we hear across the County. So you're not alone. I don't know if that's comforting or not. I still get the impression, and please tell me if I'm not correct, is that there's a bunch of little stuff and some bigger stuff that's all accumulated. And because we haven't had any crucial conversations with these people, every time we have a conversation now with them, those other things are still there in the room with us. And we're

never going to get to any kind of a relationship where we can communicate respectfully and meaningfully with all that other crap coming into the room with us for all of our conversations.

TM Right, I agree. For me it's hard because I don't know, Constance is the Clerk and I'm the Chief. I don't want to step on her toes. I don't know where I stand. As far as when it comes to the supervisors and having those frank conversations with them.

VM Well, they're your employees. Let's start there. And if you think a conversation or an action needs to be taken, you can talk to Constance about that. But. Doing nothing and hoping or crossing our fingers and I have this conversation with many managers, Tonya, not just singling out here, it's not a good strategy.

TM Right.

VM So I want to talk a little bit more about the March 3rd moving conversation because it was it's been reported that that Constance was pretty upset in the in the relaying of that whatever happened. How would you describe Constance on that day?

TM Yeah, she was really upset. Because, you know Janelle say that she thought that we hated her and this was the second time that she's heard that a staff member stated that the Leadership team hated them.

VM Do you see where it could have been beneficial for Constance to go to Janelle directly instead of going to other people and saying that, *your employee said this and that hurts me,* is she could have gone to the employee directly and said, *hey, I heard this thing.*

TM She talked to Janelle.

VM I mean in the moment, instead of going to the supervisors because what's been relayed to us is that that there was a lot of emotions in that meeting, and I'm still not sure why.

TM I think there's a lot of emotions and a lot of frustration. Because there's continuous. I think it was a lot of frustrations because had the supervisors done what was asked of them, it would have all been avoided. And it kind of felt like it was done purposely that they purposely did not tell Janelle, not to move because they knew this is what was gonna happen.

VM Again, we're not assuming good intent in that scenario and it's not serving any anybody.

TM Well, exactly. It's not. But that's the history in this department.

VM I mean, I wasn't there. I know only a few bits and pieces, but I can also see a world where I come across an employee's moving and I and I don't know why. And I'm I ask *why* and the employee says that, and I'm like, o*h, that's unfortunate that this message wasn't relayed to you. So at this point in time I'm gonna I'll go talk to your supervisor and see what happened but you can't make the move.*

TM But I guess it's hard to believe that Constance, well, we talked to them about it in a meeting. We sent the e-mail out and there's actually 2 emails because Whitney responded back to that e-mail saying understood. And neither Tyler nor Melissa saw those emails.

VM *We haven't talked to them and we had this whole course of action where emotions were high and you said this*, this is the history of this group and now we're just perpetuating history.

TM No, no, no. I asked Melissa: *Did you about the e-mail* and she goes and she goes, oh, I she goes, *oh, I don't remember that e-mail.*

VM Yeah. And I guess the conversation with three other people in the room and then Constance later, I don't know exactly what happened, but I probably would have had that conversation with Melissa alone. One-on-one and said, you know, *hey, help me understand the breakdown here. If you didn't see it or if you did see it 'cause I know you get a lot of emails.* Let's assume good intent.

TM Mm hmm.

VM Tell me you know what you thought the e-mail said. Tell me.

TM OK.

VM And then directly to Melissa. And then then it could have been worked out. But I think a lot of people were 'confused,' a lot of people -my words. No one else's - about what was going on in the moment.

TM OK.

VM But again, I I feel for you, 'cause. I think you've got a bunch of stuff you're taking with you and a bunch of other people are taking their stuff in with all of these conversations, and it's hard to move forward when we don't come to the moment. And I don't know how I can help you. You know, you asked at the beginning of this for guidance and I'm like, I don't know if I have any help for Tonya other than, you're in a leadership role. So, you are capable of change, and anybody who tells you differently is is not telling you the truth.

TM OK.

VM And if you have problems with supervisors, then you bring them in one-on-one. You tell them. It's your obligation to tell them whether not meeting your expectations.

TM OK, OK.

VM And it's your obligation to help them be successful. So, once you notify them of their deficiencies, it's your obligation to give them the time and the resources to be successful.

TM OK, OK. That's good to know that I can bring them in.

VM On the performance appraisals, were they do at the end of December? I don't really know how the performance appraisals work here.

TM We gave them a deadline. So based so we gave them to the end of March for people who were hired between January. Their hire dates were between January and June, and then for those from July to December, their performance evaluations are due in June and then moving forward. They all will be due the month they were hired.

VM Sounds like you have a plan.

TM Yeah, yeah.

VM It sounds like it's good one, so OK. So I wanna go back and ask one more question about Constance. Is, you know, emotions were running high. Why do you think that she was so emotional in this instance?

TM Frustration. She's endured a lot since she's been here, so I think it's just frustration.

VM If she brought all that into that meeting with the three supervisors, I'm sure that any message could have been given or received in the tone that it should have been. What do you want to do next with us? You asked for guidance and I'm not sure I've given you any so?

TM My meeting with Janelle went fine today. I just kind of want to see. I mean, at this point, to me, it's too late to to address the issue. It's a week later. I don't want to hash something in the past.

VM Technically, it's not a week later, 'cause you were gone for like, four or five those days. And I'm not telling you that you need to address it later, but I am telling you in every instance where you think you're being slighted, assume good intent and then ask them about it. So if you walk by somebody and say good morning, you don't hear anything, you can step back and wait and see if they make eye contact with you. You're like, *oh, I'm sorry, I didn't hear you say anything. Good morning*. You can do that if somebody rolls your eyes at you, call them in the office. And say *what's all that about? Did you know what your face just said?* These are all OK questions to ask somebody.

TM Yeah, I'm gonna start doing that as far as as far as Janelle, I just. I just I I don't want to make things worse, you know. I don't wanna make things worse, but I also don't wanna ignore things. So I think I'll just meet with her to make sure that we're that we're OK. Just have a conversation with her to make sure that we're on the same page. She did ask me again today if she could move desk. I told her that I have a meeting this afternoon with the construction team and that I would talk. I would follow up with her after that and so that will probably be a good time to have that conversation with her.

VM *You know, you've come and asked about the desk. I want to talk about that. But I also want to talk about, you know, what happened on Monday the 3rd.*

TM Yeah. I think I just need to have a conversation with the supervisors about moving forward. What my expectations of them are because I'd never had that conversation with them when I started, and now that I've been here almost a year, I think I just. I don't think they. Yeah.

VM *I started a year ago. I didn't have that conversation. Now I know more things and I want to talk about that.* That's a really good segue.

TM I'm gonna set a meeting with each one of them. Is that this is what my expectations are.

VM Give us a call if you want any assistance in looking at your talking points or if you wanna practice it sounds silly, but it is helpful. You can practice in front of a mirror. You can practice in front of Tara or in front of me and we will be the whatever you're trying to avoid. We will personify, that if it's a snotty person, oh, I can roll my eyes, I can roll my eyes at you! So we can do that practice if it would be helpful.

Closing comments. End at 12:57

March 12, 2025 | Meeting with Constance White | 1:00 PM – 1:45 PM

Constance White (CW), Vicki Moll (VM), Tara Hallam (TH), notetaker

Meeting overview & admonishment

VM What is your title?

CW Clerk of the Superior Court.

VM Someone in your position isn't normally the subject of discipline, so I'll just say that as well. Do you have any questions before we begin?

CW Not at moment.

VM So I want to go back to March 3rd and the event that happened in the morning. And I believe that it would start around 7:30 or so. Is that what time you normally get to work sometime or what time do you OK. So that's like a normal start time and so what transpired to that that your normal day will somehow 'disrupt' – my word. no one else's - and something went awry?

CW Walking in, walk past the wooden doors with the big window in them over on the Judgment side. I was walking by and I noticed that Janelle was moving her desk. As you can see, it's a straight line and I'm like Tonya and I had walk were walking in together and I said, *is Janelle moving?* And she's like, *oh, I think so.* I said, *but we talked to the supervisors about that*. So she said, *OK,* she said. *Well, I'll just go in here and find out.* And then I just came on to my office.

VM And then how long was it before Tonya came back to you about that?

CW I don't know. Maybe 5-10 minutes. Maybe it wasn't long. And so she communicated to me that she had asked her why was she moving? And that Melissa had told her that she could move after Becky left and she said, well, we had sent an e-mail out to the supervisors, you know, asking them to let everyone know not to, not to move because of the upcoming renovations and Constructions And everything else. And so and then she said that. That's when Janelle said. I don't know why you guys hate me. And so then I was kind of the end of it. And I was like, well, let's go. Well, let's go see what's going on. And that's when we went over to the other side.

VM So when Tonya confirmed for you that Janelle was indeed moving and then conveyed to you the phrase that she stated, what was more concerning to you? Or were they the same concern for you that she was moving or that she said those things?

CW I think both of them were concerning, but different. One, it was concerning that she was still moving in spite of being instructed not to. And the fact that she would say something like that, that in my opinion had no foundation, you know, I I've never said anything like that to anybody, was that that was concerning.

VM I don't the layout of the office. Did you pass Janelle on the way to Melissa's office? Or Becky's desk, I should say.

CW I talked with her and then I went to Melissa's office.

VM What was your conversation with Janelle?

CW Just what was going on? And she said that she was moving and I said, *well, we communicated to the supervisors.* I said, *well, let me go talk to the supervisors* and the three of them were already in an office. And so that's when we, that's when I went in there to talk with them. And so then, as soon as I walked in, Melissa laughed and said I already told Janelle that she needs to move back. And then that's when I started my. That's when I said, well, I said, *can you guys please tell me what's going on?* And I started crying. And because I said I *don't understand why people would say that I hate them, I said this is the second person that says that that I don't like them and I don't have anything against anyone in this office.* And I said and it's it's I said *I just don't understand why we can't move forward*. And then I walked out.

VM When you spoke to Janelle about moving, did you ask her about the statement she made?

CW Not right then I didn't. But I did go back and Janelle and I went into Tonya's office and I told her that I would have. I would have never thought that she would say something like that, because that's not me and I don't hate anybody. And because I thought that we had a good relationship and I was crying, and that's when she asked me if she could give me a hug and I said no. And I just said *I just need to gather myself* and I left and I went to my office.

VM OK, some of this you covered with us on Tuesday.

CW Yeah, before.

VM But this is different now because we've had some employees come forward. So, I appreciate your patience in this process. So you kind of posed a kind of hypothetical question 'I don't understand why this is going' on to the group the supervisors.

CW Right.

VM Did anyone say anything?

CW No, nobody said anything.

VM Did you ask him about the e-mail?

CW No, I didn't. I didn't ask them about the e-mail. Tonya informed me that she had asked him about the e-mail.

VM So what you've described is a trend or an event that you come in the office, Tonya's comes in the office. You were crying. You haven't said you were upset, so I don't want to put words in your mouth. What is the best word to describe your overall demeanor when you walked into Melissa's office?

CW Hurt…

CW had to step away to address Exhibits Clerk

VM So I had asked you what was a good word to describe your overall demeanor when you walked into Melissa's office and you said hurt? So if, and I'm assuming that you mean the words 'why do you guys hate me?' - is it the word that hurt you? So why did you take that to the supervisors?

CW Because, well, what I did was I asked them what what was going on. That was my first question, I said. *Can you guys please tell me what's going on?* Because from from Janelle's statement and her being told not to move, it's like, 'why do you guys hate me?' Well, that's that was hurtful to me and I took that because to me, in my mind had the information that I relayed to them been followed, we would not have been in that situation, knowing that I had already said that I sent an e-mail out to them. Had that information been relayed by the supervisors, that particular incident would have never happened.

VM Were you able to convey that statement to them?

CM No. I don't know what the conversation was between Tonya and them beforehand. So. And she had spoken to them before I did so.

VM I know that you and Janelle met later. And you had called us. So all of this is kind of happening in close proximity, although it's a day apart. So did other people come to you during the day and reference this event?

CW No.

VM Were you aware that there were other people in the office who overheard or witnessed this exchange?

CW I'm I'm pretty sure there were. There were people in the office, but when I went in to talk with the supervisors, I closed the door. So it's not like it was open to everybody, but people may have, I'm sure. I don't know who was in the office at the time. It was a start time. It was 7:30. Some people come in at 7:30. They may have seen part of the exchange between Janelle and I before we walked in before we went into Tonya's office.

VM And do you think in the in that moment that if someone witnessed that they would have concerns?

CW They might. Yes.

VM And what do you think they would be concerned with?

CW Just maybe what was going on.

VM Have you heard anyone talking about it since?

CW No, I haven't.

VM Have you and Tonya had a chance to talk about it, or do you think that it's whatever conversations you had with Tonya, it's resolved.

CW Regarding?

VM Not that there was a thing between you and Tonya. It's just that, do you have plans to talk to Tonya about this in the future? Like to resolve it? If there's a back story to this, you know you said you were hurt. Is there a plan or anything to work through that or to make it better?

CW From for me to work through the hurt?

VM Yes.

CW Yeah, on my own. Yeah, I'm. I'm you know. I've I've been working through hurt since I got here RC1 [redacted]

VM And that's really not what I mean. It was a clumsy worded phrase for sure. It's just that you and Tonya have experienced a thing. One directly with Janelle and a statement was made. There's reference to an e-mail, so there's reference to employees not following what was in the e-mail, and so how do you as the Clerk and then Tonya as the Deputy…

CW I understand what you're asking now. Well, I also reached out to Raul so that we could so I could talk with him on because he did some training with with us and I just said *maybe it's time for you to come back and us do some some initial training.* He said that he was going to work out some things and get back up in touch with me because I wanted to ensure that we communicate, if the communication needs to be different, it needs to be how do we… How are we going to do that? So I reached out to him so that he could provide me with some tools in order to do this. Do this better somehow. Or maybe do it different? So I think I think for me that is the way to to kind of approach this Tonya and I've talked about having regular meetings too, with the Legal Assistant 3's. Because that was one of the things that Janelle mentioned that there's a disconnect in the communication. So we are trying to come up with different options and ideas in order to to try and ensure that that doesn't continue to happen.

VM How many about how many LA3 do you have?

CW 8 or 9. Right. But So what we're thinking is that not all of the threes, not all the LA3, have LA2 underneath them. So that was one of the main things we wanted to really concentrate on is making sure that this information gets trickled down to the individuals that to the twos from the threes that have that information. So, to better empower them. These are conversations that Tonya and I have had based on my conversation that I had with Janelle.

VM So your LA3 are probably spread across the three supervisors or across the three supervisors and other people are all LA3 threes.

CW Yeah, all LA3 have a supervisor that they report to, but not all LA3 have LA2 under them.

VM So when you meet with the LA3, are you going to meet with the supervisors, or this is just you and Tonya or you and Tonya and the other two in the Leadership team meeting with the LA3? Or do you have that all figured out?

CW We haven't figured all of that out yet, but one of the things that we want to do is is have is bring the supervisors in and allow all of us to develop better communication with one another. That's that to me, is the overall goal and that's what I reached out to Raul for.

VM I mean, I don't know if you were present for what Raul conveyed. Do you know what he was going to train, what he's already provided to you - what kinds of training?

CW We did some training on change management. And I think he kind of tailored that to our office because he came in and talked to the supervisors and then he talked to the Leadership, talked to the supervisors separately, talked to the Leadership team separately. And then we had an off-site training session or the supervisors and the Leadership. We had an outside person come in to do some change management and they met with all of the staff that wanted to meet with them and they met with the supervisors and then they met with the Leadership team and provided some feedback on just different things that they observed and… So different things that we could do better or…

VM Did you get any feedback from either of the trainings from the supervisors or the Leadership team?

CW Yes, we did. We got feedback. We met with the supervisors, as you know, all of us in one of our departmental meetings asking them, you know, what they got from it. They said that they thought that the training was good. It was beneficial. They hope that that wasn't just the end, and this is why we reached back out to Raul to say, you know, we didn't want this to be a one and done. We wanted something that would be something that they could kind of look forward to in order to kind of regroup. Let's talk about things. Let's talk about where we are, where we've been since that last training and then kind of move forward. And this is then, like I said, that's why I reached out to Raul to say, h*ey, you know what? I think it's time that we kind of get back together. And put together some additional training*. So I'm not sure what he's working on.

VM So you mentioned that you were hurt. You mentioned that this has been a 'state of mind' - I'm kind of paraphrasing here, for a long time. What do you see as the background, the back story to March 3rd, what events have…

CW …I don't see a back story.

VM Well, you were hurt by Janelle's words. Was that her words alone? Is that what got you to the point of crying and asking…?

CW …So, no. That's like I said before, it's been a combination of everything that's gone on. Yeah. Just, I mean it's just it's a combination of of it. You know when you think you think you're moving forward and then something else happens and it just kind of deflates you and you feel very defeated.

VM Could you tell like the supervisor… You didn't said they said anything, but could you tell how they received the information that you were giving them?

CW What do you mean? Could I tell? I mean they sat there, they listened and nobody responded.

VM I want to ask some questions now outside the scope, or outside, really, the time frame of March 3rd, and that's February 19th. You had some kind of a meeting. I think it was a Management

team or managers or an Ops meeting. I'm not sure what you call them. And you and part of the meeting you had presented a binder. And I know that you had brought the a binder issue to HR last year sometime. So when did the new binder thing pop up? Let's call it the third binder.

CW I think yeah. The third binder it came up, I guess probably a few days before that meeting, a couple of days before that meeting is when it was is when. Is when I saw it.

VM And so not this binder, but the other two binders, the original ones. I know that at least one of them was brought to HR and one of them was taken to PAO for review, what happened to those two binders?

CW They're here.

VM And there was no direction from PAO or anybody to, like, shred them or burn them, or…?

CW Yes, there was a direction to shred them, but it is against the law to shred other people's mail, and those were original mail. There's original letters in there that belong to people that should have been sent to people.

VM In the first two binders?

CW Yes. And I did not feel comfortable doing that because I could be prosecuted for it.

VM Did you relay that to anyone in PAO/ Exec/ HR?

CW And and Dan Grimm was Dan Grimm told me. He says, *well, I don't want them.* Cause I tried to take them over to their office.

VM OK. Oh, I see. So I'm assuming, and I don't like to do that, but that the third binder - is it with the other two binders?

CW Now the third binder is here on the floor.

VM Oh, OK.

CW And I have talked. It's in my, actually. It's in my shred box because what's in there are just copies. They're copies of, they're copies of orders. They're not the original order.

VM OK. Are you still assessing them or analyzing? Oh, OK.

CW They're, they're in my shred box.

VM So it was relayed that you also that you talked about the binder and that you talked about a letter from a mother to a son or from a son to a a mother. And that you were going to try to get that to the person whichever way it was going. Is that something you've been able to do?

CW No, haven't even tried.

VM And the point of bringing up the binder at that meeting was what?

CW Of the third binder, of any binders, because it was because it was, it was inappropriate for the staff to be gathering information like that, there was no reason for it. It was. It was in a binder to ridicule the individuals that were in there. Which is not appropriate for under the oath that we take nor under the confidentiality agreement that every employee signs. And I conveyed to them that I did not want this to be a reflection of this office, because we do way better work than that. And I asked if there were any additional binders for them to please bring them to my office by 4:00, no questions asked. We just wanted them - just a second - I just wanted them to be gone.

VM With the supervisors aware? Of the Leadership team, were they aware of the binders from last summer?

CW The Leadership team was. When the other two binders were brought to my attention and we waited until see what the Executive wanted about wanted to do about it. I figured you know what, let's do a reset, which has been a common theme from recommendation from Human Resources. We're going to do a reset and we're just going to start over. And they're gone. You don't have to worry about them anymore. If anybody asked about them, they can come and talk to me, but no one ever did.

VM And I'm misspoke, I said. Leadership team, was the Leadership team aware of the binders last summer? I merely meant the Leadership team and the supervisors?

CW I *said* [emphasis] the Leadership team was.

VM OK. So not the supervisors from last summer, OK?

CW But when we talked about the three, the third binder. After the meeting, Melissa came to me and said that she was aware of the other ones. And she thought that the third one. She said she wasn't sure where the third one was. But she did know about them, and I asked her if there were any more, and she said not to her knowledge. And I said, *so we're done with this, right,* you know. And she said, *yeah*, she said I she said, *I think Mark had the binder, I'm not sure who had it*. And so and then I just told her I said, *well, if there's any more or if you can, I said I'm gonna send an e-mail out.* So I sent the e-mail out to the staff, you know, letting them know if there are… this is inappropriate. And if you have any, you can bring them to my office by the end of the day. And then that was gonna be it.

VM Who's Mark?

CW Mark Hindig.

VM So how did you find the third binder?

CW I went, I… every morning. I usually walk around, say *good morning* to everyone. I was saying good morning. And I walked back into the record section and Mark and Danielle Frazier were sitting, well, Daniel Frazier was sitting at a table. Mark was standing at a computer and she was the binder was in front of her and she was kind of fumbling with it, trying to hurry up and close it. And she was having a hard time. And I said, *are you OK?* And she's like, *it doesn't*

want to cooperate. So I walked over to her and just kinda I said, *well, let's slow down,* you know. And we was just kind of laughing and I just kind of closed it. But I noticed it was a pink sheet of paper, but I didn't pay much attention to it at the time. And so I closed the binder and we I stood there and talked to her for a couple more seconds and and then I came back to my office. And to get ready for my next meeting. And I was sitting here and I was just like, I hope that wasn't another binder. And and and I and I and I said this to myself just because of the way she reacted when I walked up, it was just odd. And so I asked Tonya if she would go back there with me. Because we was getting ready to have a meeting with her, our regular meeting. Our check in. And so we walked back there and I kinda was looking around on the table. I looked on the in the cabinet and I didn't see anything but Danielle Johnson was sitting back there at her desk and I asked about and I asked. I said. Well, I said, *Do you know where this was?* I said, *Danielle had a three-ring burgundy binder*. I said, *Do you know where that is?* And she goes, *oh, yeah, I think she put it in this drawer*. So I opened the drawer and I just kind of looked at it. Just just what I could see, right? You know right there and I didn't see anything. And so then I picked it and I noticed that there was some binders. Some Black 3 ring binders stuck in there. So when I just pull those out and this burgundy 3 ring binder was at the very bottom of the drawer with a lot with other stuff on top of it. So I pulled it out and I opened it up and it says it said what a name on the pink cover sheet which was similar to the other ones. To the other binders on they each had their own little cover sheets and it said what a name. And then as I went through it., i was copies of various court documents that, where people's names were highlighted.

VM Could you tell like what paper had recently been put in?

CW I, no, I don't know. Well, some things are file stamped. Most everything has got either a file stamp on it. I didn't look at that part of it as far as…

VM Are you curious or interested in what Danielle Frazier was putting into the binder?

CW I yeah. But didn’t ask about it.

VM Any reason why? Or what was your thought process on that?

CW Well, my thought process was first of all, *I can't believe that there's another binder*. And I just didn't know how to address it and I wanted to have an opportunity to talk with the supervisors first to gain some knowledge from them and I did have a conversation with Danielle. But I did not specifically ask her if, or what, she contributed to the binder. To me it was more of that, this is not acceptable. And this is not something that we need to be doing. It's not just it's it's not right, period. That was more of the concern, not necessarily what she what she put in it.

VM Are we sure that new information has been put in it?

CW I don't. I don't know. I have no idea. All I know is she was fumbling with the binder. And then I went back and I retrieved the binder and then that's when I sent out the e-mail. After I talked with Scott about it and that was his recommendation

VM And this is other people's perspective, that you were emotional in that meeting. Is that accurate?

CW I think if I think there was a point that I did get emotional when I spoke about a particular letter that I that was from a son to his mother and I said, I *know that I would probably be devastated if my son had written me a letter apologizing and I never received it because I have two sons.* And yes, that I would be devastated if I was a mother and someone withheld a letter that was written to me from my son had if he had been incarcerated and was and was writing, trying to make amends for whatever he had done and I never got it or whatever he had done and I never got it. And that is still very. That still sits with me today.

VM So why would that letter land in the Clerk of the Court Superior Court's office?

CW Because it came from an inmate. It was inmate mail, and that mail is typically routed through here because it is our… Sometimes they don't have an address and they send it to the Clerk's office because they have that address. And we process it, whether it's it needs to be forwarded to somewhere else, it needs to be scanned into the case. It just kind of depends on what the mail is. On how and what the next steps are in order to process

VM And does that letter have any retrievable or like identifiable information on it for you to do that now or?

CW I don't know offhand, it might.

VM And so the binder was shown at that meeting or was it just referred to?

CW No, it was. I had it with me.

VM And was it like you had it with you as as more like a prop, like *I found this*. Or did you have it like I want you to…?

CW Yes, I wanted them to see what I had because I wanted them to see what was in it. If they weren't aware of what was in it, so that I could let them know that this is not reflective of this office.

VM And it was anything said by them in that meeting about the binder.

CW No, they didn't say anything.

VM Any of the Leadership team say anything?

CW Not that I can recall. I don't know.

VM Did any of the supervisors look at the binder?

CW Yes, they did. Yes, they did.

VM Is it out, like all of them? Or is it passed around the room or?

CW It was well, I think it was. It was passed around the room and but I know that. I think Melissa and Tyler. And I'm not sure if Whitney looked at it. And then I think, Andrew. That's it.

VM There was a recent recruitment and I've heard varying stories about the recent recruitment with for three LA3. They weren't involved in the process this time and I don't know if they've been involved in all the other processes. So that's a good point for me to stop - why were they not included in this recruitment process?

CW It was a decision that I made based on conversations that I've had with the supervisors. And asking them to provide me, you know, feedback on, you know what in their what areas in their space did they feel that there were gaps that they need another person. Also look at the scope of the office, the overall office and where gaps were to provide input because we had gaps that needed to be filled. Excuse me. And I wanted their input. And based on some of their their input, I had concerns that the gaps would not be filled. It was more of who they just said, *well, I think this person needs it*, not necessarily based on the needs of the office that was the concern.

VM There was a rumor swirling, and I'll put it in the category rightly that it belongs, a rumor, that the supervisors may have promised these jobs to somebody or relayed to someone in the Clerk's office that they were going to get these jobs. Do you know anything about that?

CW The only thing that I know is that, well, what I heard was someone was told that they were the next in line, so they should be getting one of those positions. Reyna.

VM So do you know who's who may have told her that?

CW I don't know. Who does Reyna report to now? Do you know?

CW She reports to Melissa.

VM So did that concern you? Like, I need to get to the bottom of that?

CW It did concern me and this is why I was asking the supervisors for their input, because their input was valuable to me. And we talked about each individual that had applied for positions. So 'cause like I said, I value their input.

VM Do you have any intention of looking into that further? That Reyna was told that she should be in line for this? Because that's you know from an HR perspective, and I'm sure from your perspective too, it's that's very concerning that that that would be relayed. And you know, potentially a black mark on someone's record. Meaning it could lead to discipline.

CW Yes that is concerning.

VM How did you hear that?

CW I'm not sure and I don't want to misspeak.

VM This there is a lot going on but in order to look into this, what's your plan? Is it to meet with Reyna or what?

CW As to well, one yes to me was Reyna to see if she was instructed. But you know, meet with the supervisors again to see if there was any communication to individuals. But you know this is it's one of those things. That's it. But you know, I mean I think that it definitely warrants you know questions.

VM When did the recruitment process start? Like the interviewing process?

CW They were, I think the 27th of February.

VM And you heard this about Reyna in February or? What do you have a time frame when you heard that?

CW I really don't. I'm sorry. I don't know.

VM TH questions?

TH No.

VM CW questions?

CW At the at the moment it's just, I don't know at the moment. Well, I can say that during the during my meeting with the supervisors and asking them to provide me with some input on the positions that we had conversations with all of them and they provided me with information on where they think that each individual applicant would flourish and so we took that information into consideration.

VW And did they have positive things to say about your applicants?

CW Yes.

VM Did they have negative things to say about the applicants?

CW Nope. No, they they let me. They let us know where they think. Like I said, where each person would flourish. Tell me, kind of, where they think individuals would go. What they needed for their areas, what they, what we needed for the office as a whole. So which is what I asked for them to do in an email that I sent to them on the on February 16th.

VM Do you trust Melissa Engler? Her ability to be a good leader for Pierce County?

CW I think, yeah, I think she could be a good leader for this, for Pierce County. I think that all of them could. I think they all have growth. That if they need, you know, just a growth, just just growth as a as a supervisor. You know, I think we all do. But I think that there are there are things that we're getting into that may be kind of uncomfortable for them to do that they've not been really required to do in the past. So I think you know that that I think that just makes people uncomfortable in general. Yeah. And that's kind of what we've been, you know, trying to talk about and trying to get across that, you know, we are changing and. There's, there's a lot of different things happening and not just with with staff. You know we we constantly are talking about the construction and renovation. And the changes are that are that are coming from that. The like I said, performance evaluations being done timely. The, you know, merit

reviews being done timely. It's all of these different things that are that that they are I think really kind of being exposed to that may be different than what they've been exposed to before. But to me it is really, you know, to empower them to, to be the best that they can be.

VM For the record was going to ask about each supervisor, but you said that you trust them all, and thought that they could in in relation to being a good leader for Pierce County. Do you think all of them are in the correct position?

CW What you mean like just as a supervisor?

VM Yeah. Melissa, is she in the right position?

CW I think she is. I mean, I think that they're, like I said, I think there could be some things where she could grow. There's, there's a lot of times where I see you're doing things that probably someone else could be doing that could free up her time to take care of more of the supervisor responsibilities 'cause, I know that it kind of takes her away from from some of those things, and these are things that we've talked about and this was one of the things that we talked about by doing some reorganization with the new LA3 that they could take on some of those different responsibilities that she felt compelled to do. That that maybe an LA3 could do. Or an LA2 because it's like you're you're using a supervisor to do a task to do tasks that maybe someone else could be doing. And it's just sometimes not a good use of some of those of her as a resource doing some of those things.

VM You see her working out where she could have delegated it. Do you see Tyler and Whitney doing work like that as well?

CW Yeah. And some of it is just based on days where people are out of the office, and I understand that part of it. But you know it's it's where we're just really trying to, a lot of it is still really trying to figure out what other people can do and what other individuals and and the staff have the ability to be able to do and some of it is kind of letting go of some of the tasks that they've that they're that they're comfortable doing, in order to train someone else to do that.

VM Do you feel supported by each of the three supervisors?

CW At times, yes. At times, no.

VM So what are the things you don't feel supported by them for?

CW I think some of it is relaying information to the rest of the staff, you know, when, when, when, when changes are occurring or if we need to pivot to do something different. And this was one of the things that we talked about in the training with Raul. Information not really being relayed, and then to hear Janelle say the exact same thing is, you know, is is concerning.

VM Do you get more pushback from one of them over the others, or do you get pushback?

CW No, I don't think I don't. And that and that's the… I mean, because when we're in meetings, everybody seems to be on the same page and we're OK everything's, you know. But then when

things kind of don't go as planned or as they were originally laid out, it seems to be a surprise, like, *oh, I didn't know or*. And I'm like, *but we talked about it* so.

Closing comments / EAP / Retaliation Admonishment End.

VM Sometimes we say or do things in a moment, and we time it, Well, this happens to me all the time, and we get a chance to reflect on it. And then I'm like, hmm, I could have or should have or should not have.

CW Oh yeah.

VM Did you have any of those moments with this exchange?

CW I've had that that moment several times.

VM About this exchange?

CW Yes.

VM OK.

CW When there's, there's just a lot going on, and I mean, not just, you know, work wise, but also, my father's health wise. RC1 [redacted] is just a lot going on. And and it was, you know, and like I said, I, you know, I've said this before. You know, I always wish I could kind of not allow my emotion, but I am an emotional person. Period. In any and everything. And and I work so hard to make things good here. And and it's hard to hear when someone says things and and they hurt and I'm human and I'm allowed to feel. And I think sometimes that people don't don't think that. And because I am very careful in the words that I use to people, because I know that that I don't know everything that people are going through and and it is hurtful and I try not to do that and I would be the first one to apologize to someone if I ever hurt them. And and I think that's why I really appreciated the time that Janelle and I spoke because she apologized for what she said. And and I and I accepted her apology. It's just been very it's it's just been a lot. It's just been a lot. That's all I can say.

End at 1:57 PM

March 13, 2025 | Follow-up Meeting with Constance White | 2:00 PM – 2:45 PM

Constance White (CW), Vicki Moll (VM), Tara Hallam (TH), notetaker

VM Tara for some background, we spoke yesterday, I think it was at 1:00, maybe 1:00 to 2:00 and then shortly thereafter, an hour or so, Constance reached out and said could we talk because she wasn't fully sure or aware of what the exact maybe allegations were against her. And so I said we could talk and. So the things that we received following March 3rd were some comments about your behavior on March 3rd. Employees had indicated in words that you were, I think, loud yelling and emotional. And some of the employees were able to go into a history where they felt that this was behavior that's exhibited from time to time.

CW Examples?

VM They brought up the February 19th meeting, which is the binder meeting. Some of the employees, when asked for that information, were unable to provide an exact context. Some of the employees when we asked the question "is this behavior that has been observed before" and when the answer was "yes," we asked for examples, like, when was that, and some of them said they did not could not identify a specific date.

CW Some of them could not. So then that mean that mean that some of them could?

VM Some of them that were asked identified February 19th. A number of the employees that we talked to are concerned. Because, you know, they bring up things that you've talked about, high turnover, and employee conflicts. They're afraid of retaliation.

CW When you say that they said that they're afraid of retaliation, did you… has there been any, I guess, concern for that? Or something that I've demonstrated that would caught that would give them cause for concern?

VM I'd have to go back and check my notes cause the investigation is not complete.

CW Right. I, I mean, I just I guess I'm you know I'm just trying to trying to figure it you know trying to figure things out too as as we're going through this process and really trying to understand 1 the allegations because I wasn't told what the allegations were on the onset of this, so I'm just trying to figure out what it is and what I've done, so. To have a complaint to be brought. So that's, I'm just like I said, I'm just trying to. I'm trying to decipher. And figure out.

VM It started with the March 3 incident, and so from that, people brought in other things, and I can tell you when I asked questions about prior behavior, and what are you afraid of? Why do you say you're afraid of being? One of the employees indicated they used the word targeting. They've said they've seen. Constant's target employees.

CW In what way?

VM I'd have to go back to my notes and see, but so you know, you asked it to, to know what were the kind of the charges alleged against you started with March 3. It started with your behavior as they described it. You know you described it somewhat differently. I asked a lot of them and I asked you a lot of questions about the 19th as well because I was confused about the binders because I knew the binders were an issue last summer.

CW Right, but this was the third binder. This was a new binder, so it wasn't. It wasn't about the previous binders. It was about a new binder that was discovered.

VM And you filled in all the holes I had for *why is the binder an issue now*? And I guess you know at the end I asked you, did you ever have anything like *I should have* or *I could have* or *I would have* said or done things differently and, going into the supervisors and asking them questions about the statements that somebody else made? It was confusing to a lot of people.

CW But you know, like I said too, hindsight's 2020, you can always think about things that you could have done should have done may have done that, could have been different or could have been a better approach, you know. And of course, yeah you recognize those things, you know, after the fact, if once you have an opportunity to not be as emotional, but you know it is you know, so yeah, I agree with that.

VM That's how we grow.

CW But that's just kind of what I was. I was just curious as far as what were the allegations and so, but you've answered my question.

VM Yeah. And I'm sorry I didn't give you more of a background, but it just was yesterday. I still had some questions like what was what was the why are the binders an issue now? Because I didn't.

ICW That's because it's a new binder so.

VM Nope, I get that. Well, if you have any other questions about this process reach out I this is Thursday. I think I told you we'd be done by Tuesday. And so that's my that's my goal.

End at 2:09 PM

April 4, 2025 – Interview w/ Constance White at 11:00 AM

My name is Melissa Arnold, and I am the Assistant Director of Human Resources, and before we get started, can you confirm you are in a confidential space and alone?

Response: Yes.

I have Tara Hallam here with me today and we are conducting a follow-up interview regarding events that occurred on March 3, 2025, regarding allegations of misconduct and are interviewing you today as a subject. As a reminder, you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

Do you have any questions before we begin?

CW I do have a couple. So, you said that this was allegations of "misconduct" - what does that mean?

MA This is concerning events that occurred on March 3rd and so we'll get into a little bit more of the allegations here in the next couple of questions.

CW I've never been told. So this this is the third time that I've been that I'm doing this, so I'm not. I'm trying to understand, 'cause I reported it initially on the day that it happened, and with to Vicki. And then Vicki called, and we went over it again. And now I'm going over it again, and I guess I'm just trying to understand why?

MA Today, we're going to be asking a little bit of different types of questions that we're going to be talking more specifically about your behavior on the 3rd. So that's what we're going to be drilling into

CW So I guess I'm saying why do I need to repeat it again if I've done it twice already and I've and I've talked to, and I and I was the one that reported the incident? I guess that too is my question.

MA Sometimes we need clarifying information after we interview witnesses.

1) Can you walk me through the events from the morning of March 3rd regarding Janelle Oleson moving her desk?
    - OK. So, on March the 3rd, I was… I came into the office and Tonya and I kinda met in the hallway and I walked by the window, and I saw Janelle moving her her things. I said, *"is Janelle moving?"* And so, Tonya said, *"I think so."* She said, *"Well, I'll just go in and check and see what's going on."* So, she did. And I came on to my office. Then I went back over there to check in with Tonya and she was

saying that Janelle was moving her desk, and she was upset, and she told Tonya that she didn't know *why you guys hate me?* And I'm just like, *what is she talking about,* you know? And I said, well, we had already, I sent an e-mail out to the supervisors letting them know to tell their staff not to move, anticipating the movement that was going to be happening with the renovation. So, I went in and asked the supervisors. I'm just like, *why does the staff think that they hate them?* Because that's not the first time that someone has said that, and it's very hurtful. and I'm, like, and she, well, when I walked into the Melissa's office, Melissa said, *"I already told her to move"* and I'm like, *well, but why do they think that?* So, I was crying. And then I went, and I talked to Janelle, and I said, *"I don't hate anybody."* And I said I don't. You know, I said. And I'm not. Why? *I don't know why this is happening.* So, Janelle and I walked, and Tonya, walked into Tonya's office and she was just like, *well, I don't know, maybe I shouldn't have said that.* And I'm just like, *but I just really want to understand. I don't hate you*. And I was crying. And she says, *well, can I give you a hug?* And I said no, I said no. I said. I just. I just need to remove myself, and I left, and I came to my office.

2) It was reported that you and a few other supervisors were in Melissa Engler's office. What occurred during that interaction?
    - I when I walked in. Well, Tonya and I walked into the office, Tyler, Melissa and Whitney were sitting in there, and before I even said anything, Melissa said, *"I already told Janelle that she needed to move back"* and she kind of laughed and I said, but I said, *why does the staff think that I hate them?* I said *that's what I'm trying to understand,* and nobody said anything. And then I walked out.
- What was your tone of voice?
    - Just like this. [demonstrated calm tone:] *Why do people hate me? Why do the staff think that I hate them?* And I was crying.
  - It was reported that you were screaming. ~~Why?~~
    - I wasn't screaming.
  - Employees reported hearing you raise your voice loudly enough for others outside the office to hear. Why do you think they would report that?
    - OK. I don't. I mean, I wasn't screaming. That I can tell you, 'cause I don't. I'm not a screamer. I can say that I was crying. Yes, I was emotional. I was not yelling, and I was not loud. The door was open, it wasn't closed. It was 7:30-7:35, I don't exactly remember the time, but I can say that I was not yelling, and I think that I think yelling is subjective. So, but I wasn't yelling that I can tell you I was emotional, and I was crying.
- ~~Were you crying?~~
  - ~~Why?~~
- ~~Do you recall any specifics that you said during that interaction?~~
  - ~~Do you recall saying that Melissa Buckman and Janelle hate you?~~
- ~~How did you end the interaction?~~

- Do you recall slamming a door?

        - No, I did not close the door. I went from Melissa's office to to Janelle, to talk to her, and then we went into Tonya's office. And we didn't even close the door then. And then I came over here to my office
    - Was the door open or closed when you were in Melissa Engler's office, do you remember if that door was open or closed?
        - I don't know because Tonya was behind me and I and she was standing near the nearest. She was standing in the doorway. So I I don't. I wouldn't know 'cause my back was to the door.

3) What did you do after leaving Melissa's office?
    - I went and talked to Janelle. I was crying and I told her I said, *I don't know why you would think that that I would hate you. I don't,* I said, *I don't hate anybody.* And so when then she says, *Well, can we go in the other office and talk?* And I'm like, *yes, we can.* And we went into Tonya's office, to talk with Tonya. Tonya was there the whole time and and we talked for a few minutes and it just about that. And just like, *I don't know why you would think that* and that was pretty much it. And then she asked if she could hug me. I said no. I walked over to my office to get myself together. A little while after that, Janelle sent me a Teams message to ask if we could talk. I told her that she could come over about 9:00, because I was in the middle of some things, and so she came over about 9:05 and Nicole was was in my office because she and I had a meeting at 9:00 and I needed, I wanted someone else to be in the room. So as a part of the Leadership team, I asked Nicole if she would stay and that's when Janelle and I had our conversation. The conversation, in my opinion, went well. She apologized for saying what she said. She said it *wasn't appropriate*. I told her that it was *very hurtful and harmful, and I don't know where she got that information. From because that is not how I feel and I don't think that it's fair for people to, y*ou know, *if I if I didn't say it to you,* then you know *I don't. I don't even think like that. I don't even use those words. I don't hate anybody.* And so based on that, she said that she wished that I had stayed because her and Tonya had a conversation also, and she said it was very productive. She said that she feels like there's a disconnect between the staff between the line staff and the Leadership team, and I asked her, *what does that mean?* What does she mean by that? And she said that she doesn't feel that the information and their concerns get sent up. And she doesn't think that our information from the Leadership team gets sent down. And this particular situation was a prime example of that, where I had sent an e-mail out to the supervisors asking them to please inform their staff not to move due to the renovations that were happening so that we could minimize movement and so that we wouldn't have people just moving around because we had three people to leave. Had Melissa provided that type of that guidance to the supervisors, I mean from the, had Melissa provided that information to her staff, this incident would have never happened. This is why I sent a message to Alyssa, but she wasn't available. She sent the message to Vicki, and this is why this is what I was talking with Vicki about: *How do I change the culture? How*

do I address this? Because I told, I told her exactly what had happened. And then even in that instance, I also contacted Raul because I'm like, look, I think we need to get some more training because we're still having this disconnect. And even with that, we've established another protocol that we are starting to have meetings with the supervisors and the LA3's. This is why I'm just at a loss, because I feel like I did everything that I needed to do in order to help correct the situation. But then there's this allegation of "misconduct." So I just, you know, I'm just really trying to figure all of this out too, because.

- ~~After the incident in Melissa Engler's office, you reportedly approached Janelle Oleson at her desk. Can you describe this interaction?~~
- ~~It was reported that you were crying and angry and that you said supervisors were not doing their job. Can you explain what prompted this interaction and your intent?~~
- ~~Do you think this was an appropriate interaction?~~

~~4) It was reported that Janelle asked to have the conversation in a more private area and you went to Tonya's office. Is that correct?~~

- Why do you think Janelle wanted to have the conversation in private?
  - I don't know. Well, probably because I was crying.

- ~~What did that conversation with Janelle look like?~~
- ~~How would you describe your demeanor during this meeting?~~

- Do you recall making any specific statements in the conversation with Janelle that, "I am broken. You guys have broken me," and said that you "couldn't do this" and wanted to go home. Why did you share this with Janelle?
  - No, I told her *I feel broken by those words.* I said that because I said because it's hurtful and that's why I was crying and I told her the exact same thing when I met with her in, with, with Nicole in the office, I told her the exact same thing again because that's how I was feeling. Because I would have never - I thought my relationship with Janelle was fine. And for her to say that I hate her, was very hurtful to me. And so, you know. I I have emotions, and I cried, because it was hurtful. Because I would have never thought that that she would even come to any type of conclusion like that, because all of our interactions have always been very positive. Yeah, I was broken. And it was, it was an honest statement.

- ~~How did this interaction end?~~

~~5) You met with Janelle again later that morning, correct?~~

- ~~Why was Nicole Carbone present?~~
  - ~~It was reported that you told Janelle she was there because you did not feel comfortable talking to her alone. Why?~~

6) Then when you had the I guess third final conversation with Janelle, I believe in your office Nicole was present. Did Janelle ask why Nicole was there?
    - No, not that I. Not that I don't know. I'm not. I don't know.

7) OK. Do you remember telling Janelle why Nicole was there?
        - I don't recall. I. I don't know. I may have said that she was here to witness the conversation because that's why I that's why she was there. Because I I don't, I don't like being caught off guard with someone, and I don't want anything to be said that I didn't say or get misconstrued. And because I was emotional at that at the time before. And Tonya was in the room when Janelle and I. So I thought it appropriate. She didn't ask for privacy - Janelle didn't ask to speak to me alone. And we started the conversation, and she didn't seem to have any issues with it at the time.

    - ~~What was discussed during this meeting?~~
        - ~~Did you talk about the supervisors?~~
        - ~~What did you say?~~
        - ~~Do you think this was professional and appropriate to be speaking with Janelle about?~~

    - What was your demeanor? ~~Were you defensive?~~
        - I don't know. We we talked. We were sitting at, we were sitting at the round table next to one another. I think I was still a little shaken up by the whole incident, but I think, I mean, we talked. I think my demeanor is, was, like it normally is.
    - How did the meeting end?
            - She wanted to talk more about the disconnect in communications between the Leadership team, supervisors and the staff, and I told her - she wanted to talk about it right then, and I said, *well, I don't think today's a good time*, I said. *But we'll circle back and maybe we can set up a meeting.* And then that's exactly what Tonya and I did to set up a meetings with, trying to get everybody on the same page.
    - Did you share any concerns that you have with the supervisors not following directions? Did you share those concerns with Janelle?
        - I think when we talked about the disconnect and I said, *well, I don't know what you guys have, are, telling them - if it's getting to us or not.* You know I said *I don't know. I don't*, I said. *But we try to get the information to the supervisors so that they are part of our communication process* and that was and that right there had come from a recommendation from our training with Raul in making sure that we include the supervisors in and give them those opportunities to filter information down so that if they have questions we can, we can the Leadership team and the supervisors. We can all talk about it so that we can get everybody on the same page so that when they're relaying information - because what we've seen in the past is if I'm relaying information and we've talked about it, the

supervisors have sometimes said, *well, we didn't know*. Well, this is the way for all of us to kind of get on the same page. Answer any questions at the supervisors have. So that we can all be get clarification and we're all on the same page. So when Janelle brought that up, that was the reason I was just like, OK, I said, well, *we'll have to look into it.* That's why I contacted Raul so that I said, *hey, look, we may need to get some additional training because one of the employees that said there's some that there's a disconnect in the communication.*

8) Do you think it was a constructive conversation with Janelle?
   - With Janelle? I mean, I think it was. She said that it was, she said *I appreciate us talking*. She said that the conversation that she had with even with Tonya was constructive. So I. She didn't say otherwise.

9) I want to go back to a question I had asked you previously about being in Melissa's office. So we have reports by several employees, even employees, who were outside of the office, who report that you were screaming and yelling. You've said that you were not screaming or yelling, but that it could be subjective. But why do you think we would receive reports from employees about that?
   - I, I don't know. I mean it's that's I. I have no idea. I don't know what to tell you.

10) Have you ever behaved in a similar manner?
   - Well, I don't know. Because you're saying I did something one way and I'm saying I didn't. So I don't know. I don't know quite how to answer that question. I mean, I don't. I don't walk around yelling at people. There have been, yes, some *emotional times* in the three years that I've been here, due to a lot of things that that have happened. But I I don't. If I feel I'm getting emotional or something, I usually, you know, remove myself from situations just like I did. But I wanted Janelle to know that *I did not say that. I don't feel that way* and I thought it was important for me to tell her that. But as far as me. As it's been described as me "yelling" - I don't think I was yelling. So I mean, I don't. I don't. I just. I don't know what else to say.

   - Do you often cry while at work and in front of employees?
     - Depends on what's happening. I mean, I mean, everybody carries emotions differently. I've seen my employee's cry. My employees have come in to me crying on things that affect them in the workplace. I don't go around and talking to my staff and crying about my problems. There have been times that I was ill, and I cried. Because there have been times that just the other day I was crying, and I had a panic attack. So, I mean, I'm. I'm. I think I'm allowed to have emotion, and I don't think that that is a violation to be, to have an emotion. I don't make it a habit of going around crying in front of my staff or anybody else for that matter. I don't

want people to see me like that. I'm like I said, I mean, you know, people, people have emotions. Like I said, I've had staff, I've seen staff cry. I have comforted staff when they're when they've had a bad day. And or if they're, if they've come and confided that they're having a personal problem, I'm giving them EAP information.

- Would you characterize the events on March 3rd, the interactions with Melissa in Melissa's office, the interactions with Janelle, would you characterize those as professional behavior?
    - I would characterize me going in and asking Melissa that question as *professional*, I needed an answer. I wanted an answer, and this is and this is what every… When I bring things to Human Resources, I'm always asked *well, why didn't you ask her?* So when I do that then now it's deemed as "misconduct." And I don't understand that part of it. And and me going to an employee - because this is a similar situation - where an employee has done something and I report it and talk about it, and then I'm told, *well, next time you do this or you should have done this or you should have done that*. And when I practice what I've been instructed to do by Human Resources then. It's been. It's it's like it's being deemed as a problem, or like you said, "misconduct" is me asking employees. This incident that I had with Mark with another employee - I was asked *why didn't you tell him to leave out of your office? Why didn't you move him out of the way? Why didn't you?* And I'm like, I'm not going to touch an employee. I, you know, and I wanted to hear him out because I didn't want to be accused of doing something - I'm not listening. So, when I asked the question as to *why they would think this,* they have more one-on-one contact with employees more than I do. So, to me, they would be the first person that I would ask. Because if she's making the statement, my next, my next question was to her the same thing: *why would you think that?* And she says, *well, I shouldn't have said that.* So, which which is what I reported to Vicki, and Janelle was crying at the time. It was an emotional time, I believe, for the both of us.

    - Why do you think Janelle was so upset?
        - I'm not sure.

    - What about during a leadership meeting on February 19th regarding a binder?
        - I don't know. I think I did, yeah, a little bit.

    - What was what occurred during that meeting that that made you feel emotional?
        - That, that, this office was ridiculing our community, our, our community members. And that was, that's mean that is very

unprofessional. They were making a mockery of individuals because of their names. And and that is not something that I want this office to be known for, which is exactly what I told them in that meeting, and us not delivering mail to individuals that we are being entrusted to do so. And there's a lot of things that were very personal that were in those binders that they didn't, that that we didn't… That as this office, when they were received here, was not delivered, and it wasn't handled in the manner that it should be handled in. And to me, that is a reflection on the leadership here. And when you're trying to make people understand that these are people's lives, that we have impacted. Whether positively or negatively, it is something that needs to be addressed, and I wanted them to really understand that this is not reflective. And this is exactly what I said, *"This is not reflective of the good work that we do in this office."* And that's what I want people to know. That's what I want people to know from the Clerk's office, not not us, keeping their documents as entertainment. Or or them being or us ridiculing them because of their pain. And yes, that's that's that's emotional to me, as a person. Because exactly the contents of the binders, that was emotional to me. It still is, because I don't think that our Tribes in in Pierce County would appreciate this office collecting documents and ridiculing them because of their Native names. That is hurtful. And that's why the contents of these binders were so emotional to me, because people trust us with with that information. And and it is very degrading to someone else, and I don't think that they would appreciate it. It is very unprofessional. It is a violation of the Oath that every person in this office has taken. It is a violation of the confidentiality agreements that every employee in this office has taken, and they have signed off on, and yes, I take that very seriously. So so if I get emotional about the respect that I have for the job that I have and the responsibility that I hold, because I take that to heart, then you know I don't know what else to say about that. Then you know, I don't know what else to say about that, because this this work means something to me, and I want it to mean something to everybody in this office. That this is not what… this is not the task that we've been, that we're expected to do. This is not what we should be doing. And yes, it is emotional because there are people that were deprived of letters. Personal letters. There were people that are being ridiculed because of because they choose to maintain their their their history, That's wrong.

11) I believe you contacted HR that same day, March 3rd, and requested a meeting. Who did you reach out to?
    - [Alyssa Cavanaugh]
    - ~~Why did you want to have a meeting?~~

- When you reach out to Alyssa, did you and you subsequently had an initial meeting about the events that day, I know it wasn't with Alyssa, but did you think that maybe your behavior that was unprofessional or no?
    - Well, I mean, like I said, I was emotional, yes, but I it was when I reached out. Because I wanted, I was tired of us continuing to go through the same things over and over and over again. You know? Where I was feeling like I was being undermined once again by not delivering information. And I think if I recall correctly, I think before I talked when I was on my way into Melissa's office, I think Tonya had already said something to them and she said that Melissa said she didn't see the e-mail. But you know, and I and I don't. I don't know if she saw it or not, but I mean - it was sent and it was sent to all three of the supervisors. So it was just like it was one, it was frustration that all of this could have been avoided. Just you, kind of, had had the supervisors followed through with the request. You know and and, so it to me it was just, you know, one more thing. And it's hard when it's always *one more thing*. And you know, and like I said, it's it's just another example, #2, of kind of being undermined, but I didn't approach it that way. I approached it to try to correct it, and *what can we do to do better*, and that's why I reached out. Because I'm like, *how do… help me navigate this? What do I need to do*, you know and so that's, you know, that's why you know, that's why you know. And just one thing that Vicki said too, when I talked with her. You know, she's like, you know, *hindsight is 20/20*. I was like, exactly. It is. You know, you always can sit back when you get out of the moment and just like, *oh, maybe we could have done this different. I could have done this different*. Do I send an e-mail to the supervisors and say hey e-mail me back and confirm this? But I don't want to do that either, because I'm. To me, I'm trusting that they're going to relay information because these are things that we had already discussed, you know, so. I don't know.
    - ~~Why not?~~

12) Employees in your office have used works such as "terrified" and fearful of repercussions and retaliation by you. Why do you think they feel that way?
    - You know what I I would really like to know why they feel that way. And I I don't know because I would like to know what it is that I've done to make someone feel that way. What have I done to any other employee that they think I've retaliated on or whatever? I don't know. That and and that's always been my concern at because I don't know what I've done to make anybody feel that way, other than make change in the office. In the three years that I've been here, there's only been two employees that haven't, and they didn't pass their probationary period. I've promoted a number of people in this office, so I don't understand where the… them being terrified, or them thinking that there's some retaliation that that I'm gonna

do. I'm I'm curious to know what it is because I'm always asking questions for clarification on things before I even before I even do anything. I'm always. I'm constantly checking with with Labor. I'm checking with Class and Comp. I'm checking with all of these people before even decisions are made because I don't want to come across like that. So it is surprising that people are saying that they're terrified of me especially. And and for me if if there's an employee that that's saying that I would really like to know what what I've done to them or to anybody else for them to feel that way. And if if you as Human Resources, and during this investigation - I would ask you to talk to everybody. I don't know what I've done to cause *anybody* to be terrified. That's a that's a very strong word. You know. And it and it's just that, you know, when when, when these words are being said, I would hope that they're putting some context with that to say what did, *what did you do? What did she do to make you be to feel terrified? What did she do for you to retaliate for for you to think that what has she done that would make you think that she's retaliating?* Those are the those to me seem to be more clarifying, because if if you ask me, on a hostile environment or or me being disrespected; or - I can give you examples of things of times that these things have happened and these are things that I've reported. And these are things that have gone uninvestigated. So so when you're talking about allegations of "misconduct," these, I have reported allegations of misconduct numerous times. And have context and dates and individuals to be able to report that.. And not once has anything ever been done. I'm not trying to say that I'm, you know, I mean, did you do your investigations? But I would appreciate if someone is saying that they're terrified of me - I walk around in the office and I speak to everyone and we laugh and we joke and and everything is fine. And now all of a sudden, there are people that are terrified. I don't understand that and I think if someone's making this type of an allegation, I should be allowed to to know what have I done.

- ~~As the leader of the office, is there anything you think you can do to remedy this?~~
- ~~Is there anything you could have done differently?~~

13) Your class description provides that you are responsible for direct supervision of personnel, including subordinate supervisors, and that you provide effective leadership to managers and staff. Given this language, do you think this was appropriate behavior from someone in your role? Given that language, do you think your conduct on the morning of March 3rd was appropriate behavior from someone in your role?
    - I think it is appropriate behavior from someone in my role that has gone through a lot of the things that I've gone through. *Could I've done it differently? Could I have not been as emotional?* Probably so. But in that moment, I was hurt and the the words that were said about me were very harmful considering the mental anguish that I have gone through in the last three years here. Considering that there have been a couple of incidences where I feel like I'm just about to just breakdown because I don't know how I continue to try to reach people to find out

and ask questions. You know, w*hat do I need to be? What do I need to do? How do I need to do this?* Bringing subordinates in to talk about things and ask them questions on *how we can do this better. How can we do that better?* I don't know and and if if this is just based on this one incident and everything else that I've tried to do or done. I just, you know, I have tried to provide the most effective leadership here that I can. I've taken classes. I've reached out ask for assistance on numerous occasions on how to do something different. Have a different approach. Being faced with more adversity than than assistance. Really trying to do the job that I have been hired to do despite the pushback that that I constantly get from something even just as simple as this renovation. Bringing them in, trying to get people to understand that things are happening and bringing them in. And then when I don't, then I bring them in - That's wrong. I don't bring them in. It's wrong. Really trying to find that that space where… Because I know I can't make everybody happy, but. If you're going to outline "effective leadership" and I have been effective in the leadership of this office. There have been great changes done in this office, based on the past, from no change at all and being… having employees come to me to say how much they appreciate the changes. Employees coming to me asking me to mentor them. I am doing some things correct – I am being asked to be on different panels being asked to be on an interview panel for our next for the Deputy director of Planning and Public Works and the Director of Finance interview panel, so so there is some effective leadership that I've that I am demonstrating and that I have demonstrated. Building collaborations with outside organizations, bringing projects here into the Clerk's office. Making the Clerk's office a more welcoming space for the community that we serve. So if you want to talk about effective leadership, please do not limit me to just one day and one incident because there's a lot of good that has been done in this office with the help of the staff. And them understanding that we have to continue to keep moving forward. We can't stay in in a situation that that has that everybody has been comfortable with for so many years. There has to be change and there's there's been, and there's change that's happening. Is it uncomfortable? Yes. Is it hard? Yes, I don't doubt that. And I and I never shied away from it. But when you when you have individuals that. And these are words too that have come from Human Resources - when I've talked with them, I have supervisors that are undermining me. And if you want to talk, if we can go back to the February 19th. I don't know if you know all of the information that happened on that day, so I want to bring that to your attention. And how all of that came about was because this was a third binder that was found and an employee had it. And I saw them with it, and I took it because it was not appropriate. But I didn't think about it until I come back to my office. I'm like, *please tell me that's not a third binder.* I go back there. The binder was hidden. It was stuck in a drawer under a whole bunch of other stuff. As it was hidden and got the binder and I brought it to my office. And I was just in disbelief that this was happening again. When we when I had the meeting with the supervisors, I let them know to that this was not acceptable. And I said *if there are any other binders in this office or anything else like this, please bring it to my office by 4:00, no questions asked. We're done with it. It will just never happen again.* I had a supervisor come to my office to let me know…

They looked at the binder. They knew what the binder was when we were in the meeting. After that meeting, I had a supervisor come in and say I knew about all the binders. That was Melissa Engler, she said, *I knew about the binders. Oh, but. But I thought they were gone*. *I guess Mark must have had this one while he was out and brought it back when he came back.* And she said, and I said, w*ell, are there any other binders?* And she says *not that I'm aware of. I don't know if there's any more.* And I said, *well, we don't want them here. We don't need them here.* And I told her I appreciated her coming in and being honest about her knowledge of these binders and that was the end of the conversation. That was the end of it, because that's what I told them and I was not going to go back on my word and do something about it later because she was honest about coming to me and I said, look, no questions asked, just leave it alone. But then later finding out that after I found the binder and removed it from from the office, she had gone around asking people where the binder was. Why? If she knew about the binder, but then she comes to my office and tells me that. She thought it was already gone, but when I took it from the hiding place, she was walking around and asking people if they had seen it. So this is this is what I'm… this is what I mean by undermining. And me trying to do what I need to do, and and and and try to be that professional. Try to continue to be an effective leader. But yes, it is a little difficult in this space when when the people that you depend on the most are… may not be delivering information as you're asking them to. So therefore it comes across as me being this person that I'm making all these demands. But yet these are conversations that I've had with the supervisors. These are conversations, you know, so. So yes, sometimes it is kind of to protect myself, to have someone else in the room. Because I don't want to get into this back and forth with, with with individuals saying, well, *she said this* or *she said that* or *she did this* or *she did tha*t. So when you when when this is what you've experienced you, you do have other people in the room. And it to me, it doesn't matter who it is. I just want someone else to be able to say that, *oh yeah, she did tell us about that.* Because this isn't the first time that this type of a situation has happened where I've asked the supervisors to do something. Or we've had conversations about things and they don't relate the information. And then when I say it. Then it's there. There's there's there's all the grumbling and everyone upset and the supervisor standing back like like *they didn't know*, but we had had a conversation about it the day before. So So when you so when those things you know kind of continue to happen, yeah, I try to bring other people in and I try to bring them in in a group setting so that we can have these conversations. So you know, I just. Like I said, I I just and I don't know who you've talked to throughout this process, but Vicki asked me who was in the room on the 19th. And I told her who was in the room on the 19th. So I hope that you've taken the time to talk to people. And yes, like I said, yes, I was a little emotional because the work that I do is emotional. The people that I deal with are in crisis. And I think that. And I think during the 25 years that I've done this, still being being able to be emotional with someone helps that person to understand that I do understand what they're going through, and I have empathy towards the situations that they're in. And when we harm someone, which is what staff in this office continues to do, it hurts me. Because that's not

what we're supposed to be doing. And me wanting to hold individuals accountable and to the same to to to a standard of of practice is what I'm is what I try to do every day. And like I said, there's like I said, if you know, I mean, if you're going to talk to people, talk to everybody in this office. You know and and and just just allow them to. I mean, I I do what I can to help people. I help people prep for interviews for in another division because they're interested, because I want to make sure that I'm doing what I need to do to help promote their growth. I have people coming to me at saying oh, *thank you for helping me go through this interview. I didn't know what to expect. That's me taking time to help my staff to meet.* That's direct supervision. That's effective leadership. That's mentoring. These are the things that I that I've done in this office. So yes, so to hear someone say that they think *I hate them* or *they're terrified of me* I don't understand that. And and even talking about what I go around and I say *good morning* to people. People don't say anything to me. So what am I supposed to do? Keep saying *good morning* every time I see them? To be disregarded and and be disrespected? So at some point, I just stop. Because I'm not going to get a response, and it isn't like that and I'm pretty sure this is, this isn't the first time that you've heard that I I say these things, I talk about it because I've asked for help. And and and when I have an emotional moment - now I'm I'm being accused of "misconduct."

- Your class description further provides that you have skill in independent judgment and effective decision-making and problem-solving. Do you think conduct on March 3rd was representative of these skills?
  - I think as far as the effective of the problem solving, yes, because I was asking *why do these people think that way?* That's a problem. I don't know why they think that way. I don't know why she would say something like that. I don't know why Melissa decided to, not either read the e-mail or disregard the e-mail, or I don't know but, but I guess her her reason for saying *I didn't see it*. I guess that was that was good enough, but there were two other supervisors in there that did not do anything that didn't have a response either. I don't know if they communicated it to their staff. Effective decision making? Yes, I do. Because I I wanted to know. And then I went to to Janelle, the one that said it and and asked and asked her the question. And she says, *I don't know. I shouldn't have said that. I'm sorry.* So me, I'm trying to, I'm trying to find out information. That's what I was doing.

14) Your class description also says that you should have the ability to create a cohesive environment of teamwork, inclusion, and respect. Was your behavior that morning commensurate with these skills?
  - It was. As far as the inclusion, I include everybody together. So that, because these are the individuals that are relaying information to the staff, I didn't single any one person out. That would not have been that, to me, would not have been appropriate. They were already together, so I went to all of them at the same time. As far as being respectful, yes, I I was crying, but I needed to know something and then when I when I found myself

getting more emotional, I removed myself from that situation and came to my office and kind of got myself together, you know. Which is the same thing that I've seen other staff members do, step away, regain my composure, and then go in, and then let's address it because and that's just and that's what I did.

- ~~Do you believe you have the ability to foster such an environment?~~

15) The Administrative Guidelines provides that "All Pierce County employees are responsible for creating a culture of dignity and respect." Do you think you create such a culture?
    - [laughed] I do think that. Because I am respectful to to all of my staff, I expect my staff to adhere to the guidelines that are set. I expect my staff to adhere to the confidentiality agreement that they signed to the oath that they signed and when those things don't happen, and I bring it to HR, everybody gets a reset. And they're not held accountable? And that's that's troublesome because I'm trying to figure out *what do I do? How do I do this?* Because I include I include the staff the the supervisors in things. We have departmental meetings, we have sectional meetings. This, all of this, is to gather information so that we can be better as a team. That, that is that has been my goal since day one. That is still my goal. We have implemented 30/60/90/120-day evaluations with new staff. The 30/60 goes with the immediate supervisors. The 90-day is either between myself or Tonya so that we can get a perspective on how their training is going, what their communication is like with their supervisors. So so yes, these are the things that I am trying to bring an inclusive cohesive environment to an environment.

~~16) Is there anyone else with first-hand information that you believe we should interview regarding this complaint? What does their information pertain to?~~

17) Do you have any additional information you believe we should know about that we haven't asked you about today?
    - I think that it is very unfortunate that when I call and discuss this with HR and ask for guidance and help that I don't know what what day this was reported. But then someone can call in and make an allegation on information that I have already shared with Human Resources - in my mind, it does feel a little retaliatory. But and the fact that you haven't… You have a supervisor that was knowledgeable on the existence of these binders and went around questioning people about it when I got it, when I found it. That. That they're not held accountable for their actions. And like I said, I feel that this here is definitely retaliatory, because I don't know if they thought I was going to do more... When that… I thought that when I said *no, I'm not going to do anything about it. I just want to know, let's get rid of them* - then they go and they undermine me and not relay information to staff as they've been asked. Which this isn't the first time. So, I feel that all of this is just to take… take responsibility off of them as individuals that they need to be following through, and we need to be working as a team. Because that's all I've tried to do

since I've been here. *Get with Raul*. I got with him. He had meetings with them, he said, "*There's a toxic environment down there,"* he said, *"There are individuals that are not receptive of you being here. There are individuals that do not want you here. There are people here that have said they don't want you, they don't want anything to change here*" and that was told to me by Raul back in October when he came in and did an assessment with the staff. But I just continue to keep saying *no, we got to do this, we can do. This we can do this.* So everything that. And and I don't know. There was, there was a complaint that was filed about, during an incident in our staff meeting. I wanted to bring to to your attention, is when I did an open records request on that it said on there that I was the complainant, I wasn't. I never asked for an investigation. I never asked for anything to happen. And for Human Resources to put that in that statement, saying that I was the one, that was an untruth in that statement, saying that I was the one that was an *untruth*. Because I didn't ask for anything. And then then to to do the open records request and for Kim Schwannecke to ask who filed the complaint. Melissa, your response was "middle person." I don't know who that is? That's not my name, and I didn't do it. But if that employee filled out an open records request to get that information, they think *I* did it. And I didn't. I did not do that. So here we are again where Human Resources is contributing to the toxicity and making me appear to be something that I'm not because I didn't file that complaint. And that wasn't fair. Because then now if that person thinks that I did that to them. Human Resources is the one that's causing the problems or contributing to people thinking negatively of me because that's not what happened. And and for that you guys should really be ashamed because that's not what happened. And and and you know, that's not what happened. But you lead people to believe those things. Because I didn't do that. So I want that noted because I didn't do that and I think it was wrong for whoever did it. And if you knew who who actually was filling the complaint, whether it was Judy or Dan, because those are the only two people that I spoke to about that incident and I didn't ask for anything. Because I knew if I had, I knew that things like this would happen and I didn't want that. I didn't want my staff to think that I was this ogre or horrible person because I'm not. But I don't appreciate being labeled as something that I'm not. And it being confirmed by Human Resources, because that's what that was, that was, that was not the truth. And it should be corrected. But I do believe now the harm has been done. Because based on those things, people have an idea of me, or they have been given the authority and the power to say things that are untrue. And instead of of Human Resources actually asking questions and doing appropriate investigations. Because when I talk with Vicki, her questions were - her questions weren't questions, they were more of *accusations*. So, I just wanted I. I felt I needed to say that, and I wasn't going to say anything about that. I was just, I have just been carrying that with me. But I think now is the most appropriate time to say that I have been wronged on a number of occasions. By untruths, or not being supported. And and I think that that particular situation resonated throughout this office as me being a person that did something to someone, and I didn't. And that's that's not fair. And you want to talk about effective leadership and being respectful and inclusion and effective decision

making? I think in that one incident, the individuals that were involved in that process, violated every one of those. Because they were not truthful in what it was that they did, and the documentation that they provided, to either to myself and to anybody else that that requested that information. And that's all I have.

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

CW asked about making a public records request for the investigatory records.

End at 12:04 PM

April 4, 2025 – Interview w/ Constance White at 11:00 AM

My name is Melissa Arnold, and I am the Assistant Director of Human Resources, and before we get started, can you confirm you are in a confidential space and alone?

Response:

I have Tara Hallam here with me today and we are conducting a follow-up interview regarding events that occurred on March 3, 2025, regarding allegations of misconduct and are interviewing you today as a subject. As a reminder, you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

Do you have any questions before we begin?

1) Can you walk me through the events from the morning of March 3rd regarding Janelle Oleson moving her desk?
2) It was reported that you and a few other supervisors were in Melissa Engler's office. What occurred during that interaction?
    - What was your tone of voice?
        - It was reported that you were screaming. Can you speak to that?
        - Employees reported hearing you raise your voice loudly enough for others outside the office to hear. How do you explain this?
            - *If no:* We have multiple reports about this behavior including from employees who heard you yelling despite the door being closed. Why do you think that has been reported?
    - Were you crying?
        - Why?
    - Do you recall any specifics that you said during that interaction?
        - Do you recall saying that Melissa Buckman and Janelle hate you?
    - How did you end the interaction?
    - Do you recall slamming a door?
3) What did you do after leaving Melissa's office?
    - After the incident in Melissa Engler's office, you reportedly approached Janelle Oleson at her desk. Can you describe this interaction?
    - It was reported that you were crying and angry and that you said supervisors were not doing their job. Can you explain what prompted this interaction and your intent?
    - Do you think this was an appropriate interaction?
4) It was reported that Janelle asked to have the conversation in a more private area and you went to Tonya's office. Is that correct?
    - Why do you think Janelle wanted to have the conversation in private?
    - What did that conversation with Janelle look like?
    - How would you describe your demeanor during this meeting?

- It was reported that you said, “I am broken. You guys have broken me,” and said that you “couldn’t do this” and wanted to go home. Why did you share this with Janelle?
- How did this interaction end?

5) You met with Janelle again later that morning, correct?
   - Why was Nicole Carbone present?
     - It was reported that you told Janelle she was there because you did not feel comfortable talking to her alone. Why?
   - What was discussed during this meeting?
     - Did you talk about the supervisors?
     - What did you say?
     - Do you think this was professional and appropriate to be speaking with Janelle about?
   - What was your demeanor? Were you defensive?
   - How did the meeting end?
     - Did Janelle ask you what
6) Have you ever behaved in a similar manner?
   - Do you often cry while at work and in front of employees?
     - What about during a leadership meeting on February 19th regarding a binder?
7) I believe you contacted HR that same day, March 3rd, and requested a meeting. Who did you reach out to?
   - Why did you want to have a meeting?
   - During this meeting, did you mention your behavior?
     - Why not?
8) Employees in your office have used works such as “terrified” and fearful of repercussions and retaliation by you. Why do you think they feel that way?
   - As the leader of the office, is there anything you think you can do to remedy this?
   - Is there anything you could have done differently?
9) Your class description provides that you are responsible for direct supervision of personnel, including subordinate supervisors, and that you provide effective leadership to managers and staff. Given this language, do you think this was appropriate behavior from someone in your role?
10) Your class description further provides that you have skill in independent judgment and effective decision-making and problem-solving. Do you think this behavior was representative of these skills?
11) Your class description also says that you should have the ability to create a cohesive environment of teamwork, inclusion, and respect. Was your behavior that morning commensurate with these skills?
    - Do you believe you have the ability to foster such an environment?
12) The Administrative Guidelines provides that “All Pierce County employees are responsible for creating a culture of dignity and respect.” Do you think you create such a culture?
13) Is there anyone else with first-hand information that you believe we should interview regarding this complaint? What does their information pertain to?
14) Do you have any additional information you believe we should know about that we haven’t asked you about today?

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

End at XX:XX AM

April 8, 2025 – Interview w/ Tonya Moore at 9:00 AM

My name is Melissa Arnold, and I am the Assistant Director of Human Resources, and before we get started, can you confirm you are in a confidential space and alone?

Response:

I have Tina McLain here with me today and we are conducting a follow-up interview regarding events that occurred on March 3, 2025, regarding allegations of misconduct and are interviewing you today as a subject. As a reminder, you are expected to be truthful, cooperative and to fully answer the questions asked of you during this investigatory interview. Being untruthful, evasive, or otherwise uncooperative could lead to disciplinary action, up to and including discharge. In addition, interference in any manner with interviews or the testimony of other witnesses and/or subjects could lead to disciplinary action, up to and including discharge.

If at any time during this interview you want to stop in order to use the restroom, get a drink of water, or otherwise take a break, just let us know and we can pause for a few moments.

Union Representative: N/A

Do you have any questions before we begin?

1) Can you walk me through the events from the morning of March 3rd regarding Janelle Oleson moving her desk?
    - It was before 7:30 AM. I came into office, and I witnessed Janelle moving what looked like her desk items to Becky's desk. So, I asked her what she was doing. She said she was moving her desk. I told her that we had asked supervisors to let everyone know to not move desks because of the remodel. We didn't want people to move more than once. She said that she asked three months ago to move. I told her sorry, but no one gave us that information and we had told supervisors in an email and in a meeting last week not to move anyone right now. Janelle started tearing up saying "I think you all just hate me." I said "no, no one hates you. We have limited space for the time being" and I apologized for the lack of communication to her from her supervisor. And that we need everyone to stay until we can figure out the space.
    - It went into the supervisor's office. It was me, Whitney and Tyler in Melissa office I asked what was going on and why she was moving desks. No one said anything just looked at each other. Melissa said she didn't remember seeing that email. She went to her email and said "oh, I see it now." I told her we are trying to avoid this with the remodel we don't want multiple moves. She said she didn't see the email. I told her that she needed to make sure she is providing this information to staff. I saw Constance talking to Ayana, I went to her office, and we closed the door. I told her Janelle was upset about the desks and told me she thinks "you all just hate me." Constance said "ok, here we go again! I don't hate anyone, and everyone just thinks I hate them." She said let's go talk to her. We had a brief convo with Janelle about the desks and not moving them with the remodel. Constance told her we we did talk to the supervisors about it, and we were trying to make things go smooth with everyone. Constance said that it's upsetting to hear the staff saying she hates anyone. Constance went into the supervisor's office, and I went in second. She said, "What is going on?" Melissa said she already told Janelle to move stuff back. Constance said that she already told Melissa to tell everyone not to move. Constance was visibly upset. She said

it is hard hearing staff say I hate them. Because I don't hate anyone and can't understand where this is coming from.

2) When you say visibly upset what does that mean to you?
    - Tearing up. Emotional.
    -
3) What was her tone of voice?
        - Firm
        - Was she yelling
            - No, there was a change in tone but not yelling
        - It wasn't yelling or screaming. it was firm.
        - How long was the interaction?
            - Maybe 5 minutes. She was visibly upset.
            - So, it was short. How did it end?
            - She said I am going to go. I am going home. I was following her out of the office. Janelle and I went into my office and C. Janelle said I just wanted to say I didn't mean I think y'all hate me and it came out the wrong way. With Becky leaving I have a lot of pressure. C sd I understand but words matter. Janelle said "Can I give you a hug?" C said "No." Janelle said, "Really?" C said, "It is not the right time." Then C left. Janelle and I had a good conversation. Janelle talked about the disconnect between the team and leadership. She talked about changes needed with the LA3's since they are training new staff. And though it was good meeting util the next day when she was telling people I was walking around berating her and when I heard that I set up a meeting with Vicki Moll.
            - The next question I have I know if is tough. The interaction with C. Was it appropriate?
                - Yes, I think so. Considering, I think she handled it the best she could. Considering everything she has been though.
                - Could it have been handled better?
                - That is hard question. Because If you take out everything I have witnessed and what she has went though. Just what I have seen people treat her like. If you remove that, then of course you could have handled it differently. Because the emotion would be removed from it. When you feel constantly emotionally attacked, it is hard to remove emotions. Especially when the words are "y'all hate me."
                - Would it fair to say the events of the morning were emotionally charged?
                    - I think so because it was an emotional event
                - Have you seen the emotion and crying in front of employees?
                    - Yes, I have seen it before where she cries in front of staff
                    - In front of supervisors regarding the binders
                    - She was talked about the impact of the community if they new the purpose of the binders. And how the community would feel if the office was making fun of the names. There was a letter from one person

to their mom and was asking for forgiveness and how it could have been the last letter his mom got form him and that could have been the last letter he sent, and she never got it.

- Ee have used the word fearful and retaliation in terms of C is that surprising?
  - Uh yes, I don't how it could be in fear of retaliation. I have never seen any of that. Since I have been here, she has promoted pp. She brings in treats. She brought in lunch. She says good morning of pp. I am trying to figure out what is retaliatory.
- Do you have any additional information reg the events on March 3 that I didn't ask you about that you think I should know.
  - I would be curious if MA did or didn't get the email.
  - Whitney responded t all.
- We have an HR mgmt. group is that how it was done
  - Yes
- That is all I have for you today (ready closing admonishment)
  - 9:23am

4) It was reported that you and a few other supervisors were in Melissa Engler's office. What occurred during that interaction?
   - What was your tone of voice?
     - It was reported that you were screaming. Can you speak to that?
     - Employees reported hearing you raise your voice loudly enough for others outside the office to hear. How do you explain this?
       - *If no:* We have multiple reports about this behavior including from employees who heard you yelling despite the door being closed. Why do you think that has been reported?
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    - As the leader of the office, is there anything you think you can do to remedy this?
    - Is there anything you could have done differently?
11) Your class description provides that you are responsible for direct supervision of personnel, including subordinate supervisors, and that you provide effective leadership to managers and staff. Given this language, do you think this was appropriate behavior from someone in your role?
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13) Your class description also says that you should have the ability to create a cohesive environment of teamwork, inclusion, and respect. Was your behavior that morning commensurate with these skills?
    - Do you believe you have the ability to foster such an environment?
14) The Administrative Guidelines provides that "All Pierce County employees are responsible for creating a culture of dignity and respect." Do you think you create such a culture?
15) Is there anyone else with first-hand information that you believe we should interview regarding this complaint? What does their information pertain to?
16) Do you have any additional information you believe we should know about that we haven't asked you about today?

Closing Comments:

I would like to remind you that the content of this investigation is confidential. It is very important to keep this information as confidential as possible so we can ensure a thorough and truthful investigation.

Also be advised that any form of retaliation against a person who participates in a complaint or investigation or interference with any witness is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.

End at 9:23 AM

Pierce County
Pierce County Human Resources Department
2401 S 35th Street, Room 121
Tacoma, Washington 98409-7442
(253) 798-7480 I FAX (253) 798-8558
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Robin Vazquez
Director
(253) 798-7277
robin.vazquez@piercecountywa.gov

April 30, 2025

Constance White
Clerk of the Superior Court
930 Tacoma Ave S, Room 110
Tacoma, WA 98402

HAND DELIVERED

RE: Letter of Reprimand

Dear Constance White:

This is a formal Letter of Reprimand (LOR) for cause, which also reiterates expectations to improve your performance. The specific charges leading to this LOR are as follows:

1. Failure to meet reasonable work performance standards and requirements; and
2. Discourteous treatment of the public or other employees.

Background

You have been a Pierce County employee since December 6, 2021. During this time, you have been provided numerous training and work opportunities to expand your knowledge, skills, and abilities including, but not limited to the following:

- In Her Shoes – October 2024
- HR Team Building and Cohesion Training – August 2024
- Virtual Supervisor Essentials – April 2023
- The 7 Secrets of Responsive Leadership – March 2023
- Leading Yourself – March 2023
- Creating a Culture of Change – March 2023
- WA-State Government to Government Training – September 2022
- Virtual What You Need to Know About Workplace Harassment – July 2022
- Demonstrating Accountability as a Leader – June 2022
- Working with High-Conflict People as a Manager – June 2022
- Virtual The Practical Coach – May 2022
- Virtual Emotional Intelligence in the Workplace – May 2022
- Race - The Power of an Illusion – March 2022
- Collaboration Principles and Process – March 2022
- Communication within Teams – February 2022
- The Manager's Guide to Difficult Conversations – February 2022
- Mindful Leadership – February 2022
- Virtual Ethics – February 2022
- Supervising Represented Employees – February 2022
- Virtual Attitudes Towards Differences – January 2022

- Virtual New Employee Orientation and Onboarding – December 2021
- Customer Service Foundations – December 2021
- Difficult Conversations: Talking about Race at Work – December 2021

You subsequently earned your Bronze Level Leadership certification on April 22, 2025.

You were placed on a 90-day Performance Improvement Plan ("PIP") on March 5, 2025, for your inability to maintain proper fiscal processes and procedures, failure to ensure proper and timely billing, documentation, and reimbursement for qualifying *Blake* convictions, deficient contract management efforts, and untimely and incomplete response to Executive requests. You were directed to focus on four specific areas for improvement and were empowered to manage and assign direction to your staff.

Commented [MA1]: This language was pulled directly from the PIP memo.

Pierce County also hired a management coach in 2024 to provide you with interpersonal coaching sessions. You met with this coach nine times, most recently on April 4, 2025, and they provided you with services related to training in the management of change, examination of core values, practicing life balance, exploring the assets of age and experience, identifying purpose and vision, and creating a plan for moving ahead.

Commented [MA2]: This language was pulled directly from the contract.

Despite these attempts to help you realize the importance of and need to meet performance expectations and improve your behavior, concerns remain.

Current Events

On March 3, 2025, your conduct during a series of workplace interactions led to multiple employee complaints and a formal HR investigation.[1] The incident originated when Legal Assistant Janelle Oleson ("Oleson") began organizing a recently vacated desk. This prompted a confrontation from Deputy Clerk Tonya Moore ("Moore"), who accused supervisors of failing to follow your previous directive not to move workspaces. The confrontation escalated quickly and culminated in several highly emotional and disruptive exchanges involving you, Moore, supervisory staff, and Oleson.

According to consistent witness testimony, you entered a supervisor's office in an emotional and visibly upset state, yelled at staff, and "stormed out" declaring you were leaving for the day. Staff reported being shocked by the intensity of your response, which was not about the desk movement itself, but about your emotional reaction to Oleson's comment that she felt disliked. Witnesses described the exchange as aggressive, unprofessional, and a safety concern due to the emotional volatility displayed. One supervisor stated that being yelled at in a closed office setting over a perceived personal slight felt "like abuse," and left them feeling trapped and fearful.

You then confronted Oleson at her desk, crying and blaming staff for undermining your leadership. The interaction took place publicly in the office, further contributing to a sense of workplace disruption and embarrassment. Oleson invited you to continue the conversation in private, which occurred in Moore's office, but the tone remained elevated, and you stated you felt "broken" by

[1] The final report of this investigation is included as Attachment 1.

your staff. Later, during a follow-up meeting in your office, you requested a witness be present as you no longer felt comfortable speaking to Oleson alone.

While you characterized your behavior as professional and emotionally appropriate given your experiences, the investigation found that your conduct fell short of the standards expected of someone in your leadership position. Several employees expressed fear of retaliation, and others described the environment as toxic. The investigation also documented a pattern of similar behavior in prior incidents, reinforcing serious concerns about your ability to foster a respectful and collaborative workplace culture. This incident, and the investigation's findings, further underscore the ongoing challenges with your interpersonal conduct and leadership approach.

The findings outlined above are based on a preponderance of the evidence, which includes consistent and credible accounts from multiple witnesses who were either directly involved in or observed the events of March 3, 2025. The consistency of these accounts, corroborated by contemporaneous written statements and interviews, lends credibility to their perspectives. While you offered a different interpretation of events, the weight of the evidence supports the conclusion that your conduct during this incident was inappropriate and failed to meet expected standards of professionalism and leadership.

Expectations

The class description for the Clerk of the Superior Court provides that you are responsible for direct supervision of personnel, including subordinate supervisors, and that you provide effective leadership to managers and staff. It further provides that you have skill in independent judgment and effective decision-making and problem-solving and that you should have the ability to create a cohesive environment of teamwork, inclusion, and respect.

Constance, your behavior as outlined in the events above is extremely concerning and not in accordance with your class description and County values. Your actions not only disrupted the normal workflow of the office but also caused emotional distress among staff and damaged professional relationships. Several employees reported feeling unsafe, targeted, or fearful of retaliation. This behavior undermines trust and erodes team cohesion. As a leader, it is your responsibility to model respectful communication and maintain constructive working relationships, even during times of personal or organizational stress.

Not only is improving your behavior necessary, but it is also important that you clearly understand your behavior is unacceptable and will not be tolerated. I am notifying you that, effective immediately, you are expected to follow the requirements of your position listed below:

1. Fulfill all the duties and responsibilities of the Clerk of the Superior Court in a professional, respectful, and efficient manner. This includes, but is not limited to, maintaining effective working relationships with County officials, employees, and the general public, and refraining from unprofessional and/or disrespectful communication of any kind.

2. Communicate with diplomacy and tact to better understand others' point of view, situation, or culture. This applies to all interactions and communications with staff, coworkers, upper

management, customers, and all other stakeholders of the County (both internal and external).

3. Be responsive to and comply with all policies, procedures, e-mails, and supervisory instruction. If you do not understand a directive or request, promptly seek clarification.

To help you focus further on improving your skills, and support you in meeting these expectations, you are directed to successfully complete the following training course by close of business on _____:

- Mindful Communication for Less Conflict and Stronger Relationships
- Compassionate Directness
- Managing Your Emotions at Work

If you need assistance with enrolling in the training in Workday, please contact me immediately. Within one week of completing the training courses listed above, you are to schedule a meeting with me to discuss your plans for applying what you have learned to improving your behavior. If you identify additional training(s) that you believe will support you in meeting these expectations, I encourage you to submit an enrollment request(s) in Workday.

I am confident you will adhere to these expectations moving forward and be successful. However, it is important that you clearly understand that your failure to meet behavioral expectations cannot continue and this LOR is intended to convey to you the seriousness of these deficiencies. You are advised that any future failure to adhere to the expectations listed above, and to achieve and maintain standard performance in all areas, will result in disciplinary action, up to and including discharge.

Commented [MA3]: This is standard language but not sure if appropriate to include as she is at-will.

If you believe there are factors affecting your job performance for which you require assistance, I urge you to consider contacting our Employee Assistance Program, First Choice Health, at 1-800-777-4114.

Sincerely,

Scott Nicholson
Deputy Executive/Chief Operating Officer

cc: Ryan Mello, Executive
Julie Murray, Executive Counsel
Robin Vazquez, Director of Human Resources
Melissa Arnold, Assistant Director of Human Resources
Personnel File

Last Name	First Name	Hire Date	Separation Date	Service Time	ReHire Date	Position	Separation Reason
Leeder	Cindy	02/04/85	6/3/16	31 Years 3 Months			
Schiesel	Darrow	05/23/05	9/30/16	11 Years 4 Months			
Harris	Elbony	11/21/16	1/30/17	0 Years 2 Months			
Orlando	John	01/06/14	4/17/17	3 Years 3 Months			
Harmon	Madison	06/19/17	8/25/17	0 Years 2 Months			
Shupien	Freddie	01/11/88	5/4/18	30 Years 3 Months			
Snyder	Andrea	01/29/18	6/22/18	0 Years 4 Months			
Arellano	Michael	07/02/18	8/31/18	0 Years 1 Months			
Santana	Jeremy	07/20/15	11/27/18	3 Years 4 Months			
Cavalier	Janine	12/01/88	1/25/19	30 Years 1 Months			
Brown	Patty	04/18/88	5/31/19	31 Years 1 Months			
Pitzele	Danika	07/15/19	8/29/19	0 Years 1 Months			
Rupe	Brian	01/20/04	2/28/20	16 Years 1 Months			
Wenger	Hannah	08/12/19	3/23/20	0 Years 7 Months			
Meikle	Lucas	02/24/20	3/24/20	0 Years 1 Months			
Kapfhammer	Mick	03/30/87	3/24/20	32 Years 11 Months			
Ladenburg	Dan	04/11/88	5/29/20	32 Years 1 Months			
Wynne	Gerry	03/16/89	12/31/20	31 Years 9 Months			
Bretzel	Kylie	10/28/19	3/8/21	1 Years 4 Months	07/26/21		
Hermansen	Sandra	03/26/07	9/30/21	14 Years 6 Months			
Scott	Lu	11/01/99	10/18/21	21 Years 11 Months			
Booker	David	11/21/16	11/12/21	4 Years 11 Months			
Stock	Kevin	11/04/85	11/16/21	36 Years 0 Months			
Powell	Lauren	10/25/21	1/12/22	0 Years 2 Months		LA2	Resignation > Accepted New Job
Carrillo	Kayley	09/23/13	7/15/22	8 Years 9 Months		Domestic Relations Facilitator	Other Voluntary Separation > Other Voluntary Separation (must explain)
Phillips-Reyes	Dorylee	p	10/31/22	#VALUE!		LA2	Retirement (Regular Employees Only)> Service Retirement
Hutton	Chris	04/02/01	11/14/22	21 Years 7 Months	Rehired in PAO	Legal Processing Supervisor	Resignation> Dissatisfied with Working Conditions
Nelson	Aliyah	11/14/22	2/7/23	0 Years 2 Months		LA2	Other Involuntary Separation> Failed Probation
Scott	Nicole	09/12/22	3/6/23	0 Years 5 Months		Administrative Assistant	Other Involuntary Separation> Failed Probation
Reed	Tricia Ann	08/20/12	5/26/23	10 Years 9 Months	In Juv Court	Accounting Assistant 4	Promotion>Juvenille Court Services Program Manager
Wessling	Karisa	09/28/15	5/31/23	7 Years 8 Months		Computer Systems Business Analyst 1	Resignation> Accepted New Job
Joyce	Justin	01/17/12	6/9/23	11 Years 4 Months	In Sup Court	Fiscal Services Manager	Transfer Lateral> Fiscal Services Manager
Scott	Danielle	06/30/23	10/3/23	0 Years 3 Months		Fiscal Services Manager	Other Voluntary Separation> Other Voluntary Separation (must explain)
Kelley	Andrea	7/22/2015	10/29/23	8 Years 3 Months	In Council	Criminal Diversion Program Manager	Promotion>Council, Senior Policy Analyst
Porter	Alyssa	05/22/14	11/9/23	9 Years 5 Months	In Sup Court	LA2	Promotion>Judicial Assistant for Superior Court
Gaddis	Emma	09/30/96	11/10/23	27 Years 1 Months		Chief Deputy Clerk	Other Voluntary Separation> Other Voluntary Separation (must explain)
Fowler	Linda	7/6/04	12/14/23	19 Years 5 Months		LA2	Retirement (Regular Employees Only)> Service Retirement
Perez	Amanda	1/16/18	2/2/24	6 Years 0 Months	In Sup Court	LA2	Promotion>Judicial Assistant for Superior Court
Leingang	Jeffrey	10/14/96	4/4/2024	27 Years 5 Months		Accounting Assistant 2	Other Voluntary Separation> Other Voluntary Separation (must explain)
Martin	Tawnya	7/6/04	5/17/24	19 Years 10 Months		Domestic Relations Facilitator	Resignation> Accepted New Job
Seddon	Dawn	10/30/23	7/8/24	0 Years 8 Months	In PPW	Accounting Assistant 2	Voluntary Demotion> Office Assistant 2
Beardemphl	Grace	9/9/19	11/8/24	5 Years 1 Months	In Sup Court	LA3	Promotion> Court Coverage Specialist
Storlie	Lahna	5/9/22	12/3/24	2 Years 6 Months		Accounting Assistant 4	Other Voluntary Separation> Other Voluntary Separation (must explain)
Ahquin	Rebecca	2/27/95	2/28/25	30 Years 0 Months		LA3	Retirement (Regular Employees Only)> Service Retirement
Fowler	Kelsey	10/1/19	2/28/25	5 Years 4 Months	In Sup Court	LA3	Transfer Lateral>Legal Assistant 3

Event	**Monday, March 3** – The Clerk and Deputy Clerk arrived at work around 7:25. They saw an LA3 moving things around in a former EE's workspace (she retired on Friday, Feb 28) and were alarmed. The Deputy Clerk told the Clerk she would talk to the LA3. The Deputy Clerk approached the LA3 and asked her what she was doing. The LA3 responded she was moving desks. The Deputy Clerk told the EE that her supervisor should have informed her that no one should be moving desks per the Feb 26 email [sent only to the supervisors and the leadership team] contained here: *Good morning, Team,* *I would like to inform everyone that we will be attending a construction update meeting on March 7. As we prepare for this transition, it is crucial that we maintain a clear and organized process.* *Please advise your staff not to relocate from their current spaces until they receive specific instructions from a member of the Leadership team. We will be engaging in discussions to determine the placement of employees, which may include both permanent and temporary moves.* *Your cooperation in communicating this information to your teams is greatly appreciated. We aim to ensure a smooth transition and minimize any disruptions during this period of construction.* *If you have any questions, please let me know.* *Constance* In the discussion, the Deputy Clerk relayed reasons why the LA3 could not move and stated the supervisors did not do their job. The LA3 put forth reasons she believed she should be able to move, including supervisor's approval, but at some point, blurted, "Why do you guys hate me?" Of note, this LA3 had moved desks a year ago to train with and work near the employee who was retiring (because she was the replacement for the retiring EE). It was her understanding the move last year was temporary until the retiring employee vacated her workspace. [The Deputy Clerk also relayed to the LA3 that an IT EE was slated to move into that space; however, the desk is still empty.]
	Following this exchange, the Deputy Clerk went to a supervisor's office where the three supervisors were having a morning meeting and began asking questions about why the LA3 was moving and did they see the email from the 26th? One supervisor described the Deputy Clerk's behavior as aggressive.
	The Deputy Clerk left the supervisor's office and went directly to the Clerk's office. The supervisor approached the LA3 and apologized and informed the LA3 she would not be able to move.
	EEs relayed what happened next as: the Clerk's office "flew" open, and she "barreled" into the supervisor's office with the three supervisors still there. When the three supervisors, the LA3, and another EE were interviewed and asked to describe the Clerk's behavior, they indicated she was angry, crying, yelling, screaming, bothered, aggressive. The entire conversation in the supervisor's office took less than two minutes. She did not bring up the LA3 moving. The entire conversation was about what the LA3 said. It was also noted the supervisor's door was "slammed" or "closed loudly" by either the Clerk or the Deputy Clerk. The Clerk stated, "I'm not doing this today; I'm going home."

	(It was confirmed the statement was made; however, the Clerk did not end up leaving for the day.)
Concerns	Two of the supervisors were alarmed and contacted HR shortly after the event. Both supervisors provided written statements prior to being interviewed (the LA3 also provided a narrative she created out of concern for the entire event; RC1 [redacted]). The Clerk also contacted HR on Monday, and a meeting between the Clerk and HR took place on Tuesday morning.
Findings	The leadership team consists of Nicole Carbone, Tonya Moore, Shaneeka Tulloch, and Constance White. Interviewed: Three members of the leadership team, three supervisors, two LA3s. The Clerk engaged in the behavior described above. One of the LA3s interviewed was outside the supervisor's office and not directly involved in this event but could hear the Clerk "yelling" and further provided she was crying and "very angry." The three supervisors were confused about why they were being "berated" for what the LA3 said. Each also conveyed the matter could have been resolved by apologizing to the LA3 who was moving (which her supervisor did). They each relayed that should have been the end of it. Each relayed concern that the Clerk's behavior was observed and/or heard by other employees arriving to work.
Additional Issues	During the interviews, the three supervisors were asked if they had seen this behavior from the Clerk before March 3. Each described her demeanor at a Feb 19 meeting where she brought up the existence of an additional binder (similar to the two binders found last year). At the Feb meeting, she directed her disappointment with the existence of the binder towards the supervisors and became emotional explaining the existence of a letter within the binder written by an inmate to his mother. She told meeting attendees she would do whatever it takes to see that the mother receives the letter (when interviewed, the Clerk indicated she has taken no steps to reunite the letter with the mother). The Clerk revealed she still has all three binders despite the directive from Dan Grimm to shred the contents of the binders found last year. The Clerk stated she can't do that because the binders contain mail, and it is illegal to destroy mail (**this should be resolved**). Another issue of concern is that the three supervisors were removed from the last hiring process because someone (the Clerk can't remember who) told her a/the supervisor(s) had relayed to one or more EEs that they would receive one of the promotions. The Clerk made the decision to remove the supervisors (they have always been included before) on supposition and hearsay (**this should be resolved**). Interviewees also relayed that two of the three individuals selected for promotion have personal relationships with the Clerk. One dog sits for the Clerk; the other EE receives "gifts" from the Clerk – sometimes consisting of clothing items the Clerk no longer wants.

From: Tonya Moore
To: Vicki Moll; Tara Hallam
Cc: Alyssa Cavanaugh
Subject: Continued Concerns
Date: Tuesday, March 4, 2025 4:24:38 PM
Attachments: image001.png

After our meeting, I was informed that Janella has been telling people in the office that I berated her. This has raised serious concerns for me, especially in light of the conversation we had, during which she broke down in tears, stating that she thought "y'all hate me."

I will be on vacation starting tomorrow and returning to the office on Tuesday, but this incident is deeply troubling. I am particularly concerned because I simply engaged in a conversation with Janella, with no intention of berating her. My goal was to understand where the miscommunication occurred. The fact that she's now claiming I berated her is not only inaccurate but also damaging to my reputation and creates an atmosphere of mistrust in what is already a toxic work environment .

What is even more disconcerting is that during our discussion, Janella seemed to have a constructive conversation with me. She shared her perspective that there is a disconnect between the Leadership team and the staff. I made it clear that the Leadership Team is working to address this by planning bi-monthly meetings with the LA3s to foster more open, engaging dialogue. I genuinely thought we had a productive conversation.

Now, hearing that she has told others I berated her is causing me significant distress and leaving me feeling psychologically unsafe at work. The implications of her words are not just hurtful but also have a broader impact on the team dynamics and trust within the office.

Tonya S. Moore, *CCM*
She/Her/Hers
Chief Deputy Clerk
Pierce County Clerk of Superior Court
930 Tacoma Avenue South, Room 110
Tacoma, WA 98402-2117
253-798-7759 | tonya.moore@piercecountywa.gov

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From:	Vicki Moll
To:	Melissa Arnold
Subject:	FW: Desk movement
Date:	Tuesday, March 4, 2025 4:20:00 PM

From: Constance White <constance.white@piercecountywa.gov>
Sent: Tuesday, March 4, 2025 2:35 PM
To: Janelle Oleson <janelle.oleson@piercecountywa.gov>
Cc: Melissa Engler <melissa.engler@piercecountywa.gov>; Tonya Moore <tonya.moore@piercecountywa.gov>; Vicki Moll <vicki.moll@piercecountywa.gov>
Subject: Desk movement

Good afternoon,

I hope this message finds you well. I would like to take a moment to express my sincere apologies for the confusion and hard feelings that arose yesterday due to miscommunication regarding the desk movement. It was brought to my attention that the email sent to the supervisors regarding this issue, may not have been read by all, which ultimately led to a breakdown in communication with the staff.

I truly appreciate you initiating the discussion after the incident to discuss ways we can enhance our communication process. I also appreciate the apology regarding the statement made. Your honesty in highlighting the disconnect has been invaluable, and I am committed to addressing this issue to ensure that all team members are kept informed moving forward.

I look forward to our next meeting, where we can outline actionable steps to improve our communication strategy. Thank you once again for your understanding and collaboration.

Sincerely,

Constance

Constance R. White
She/Her/Hers
Clerk of Superior Court
Pierce County Office of the County Clerk
Phone: 253-798-3371
930 Tacoma Avenue South, Room 110
Tacoma, Washington 98402-2117
Email: constance.white@piercecountywa.gov

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From: Lana Weinmann
To: Alyssa Cavanaugh; Gayle Robbins
Cc: Vicki Moll
Subject: FW: Return to work 3/17
Date: Friday, March 14, 2025 4:44:48 PM
Importance: High

I must have been bcc'd on this, and I'm not sure who else it went to, so I'm forwarding to the three of you.

From: RC2 [redacted]
Sent: Friday, March 14, 2025 4:39 PM
To: Vicki Moll <vicki.moll@piercecountywa.gov>
Cc: RC2 [redacted]
Subject: RC2 [redacted]
Importance: High

Vicki,

Good afternoon,

RC2 [redacted]

[redacted]

PLEASE let me know what i need to do.

Thank you,

RC2 [redacted]

Sent from my T-Mobile 5G Device
Get Outlook for Android

From:	Melissa Arnold
Cc:	Vicki Moll; Tara Hallam
Bcc:	Melissa Engler; Tyler Wherry; Janelle Oleson; Joey Sonntag; Nicole Carbone; Tonya Moore; Whitney Long
Subject:	Investigation Closure
Date:	Wednesday, April 30, 2025 11:19:00 AM
Attachments:	image001.png image002.png image003.png

Good Morning,

Thank you for your participation in the recent investigation into an employee misconduct matter. Your cooperation and professionalism throughout the process were greatly appreciated. I am writing to inform you that the investigation has now been concluded, and no further action is required on your part.

As you were previously advised, any form of retaliation against a person who files a complaint or who participates in an investigation is strictly prohibited, will not be tolerated, and will be subject to severe disciplinary action, up to and including termination of employment. If you feel that you are being retaliated against for your participation in the investigation, please contact me immediately.

In addition, I understand that participating in a workplace investigation can be a stressful experience. You may find it helpful to connect with our Employee Assistance Program (EAP), which offers confidential support and resources. You can contact the EAP by calling First Choice Health at 1-800-777-4114, or online at www.firstchoiceEAP.com using “piercecounty” as the username.

Please do not hesitate to reach out to me if you have any questions or concerns.

Thank you,

Melissa Arnold, J.D., SHRM-CP
Assistant Director of Human Resources –
Labor and Employee Relations
(she/her/hers)
Pierce County Human Resources
2401 S. 35th Street, Room 121
Tacoma WA 98409
p: 253.312.9663 | f: 253.798.8558
Chat with me on Teams!

From: Tyler Wherry
To: Melissa Arnold; Vicki Moll; Tara Hallam
Subject: RE: Incident Report
Date: Wednesday, March 5, 2025 1:24:54 PM
Attachments: image006.png
image008.png
3-3-25 Desk.docx
image001.png
image002.png

Good Afternoon,

Attached is my statement regarding the incident on March 3rd. Thank you.

From: Melissa Arnold <melissa.arnold@piercecountywa.gov>
Sent: Wednesday, March 5, 2025 8:54 AM
To: Tyler Wherry <tyler.wherry@piercecountywa.gov>; Melissa Engler <melissa.engler@piercecountywa.gov>
Cc: Alyssa Cavanaugh <alyssa.cavanaugh@piercecountywa.gov>
Subject: Incident Report

Good Morning,

I am following-up on our conversation from yesterday morning regarding documenting what occurred on Monday. Please let me know when we can expect your statements and then we will schedule interviews with each of you.

Thank you,

Melissa Arnold, J.D., SHRM-CP
Assistant Director of Human Resources –
Labor and Employee Relations
(she/her/hers)
Pierce County Human Resources
2401 S. 35th Street, Room 121
Tacoma WA 98409
p: 253.312.9663 | f: 253.798.8558
Chat with me on Teams!

From: Janelle Oleson
To: Constance White
Cc: Melissa Engler; Tonya Moore; Vicki Moll
Subject: RE: Desk movement
Date: Wednesday, March 5, 2025 1:20:44 PM

Good Afternoon,

I am in receipt of your email and look forward to continued discussions and collaborations. Thank you.

Pierce County

Janelle Oleson
Legal Assistant

Pierce County Superior Court
Clerk's Office
930 Tacoma Ave South
Rm 110
Tacoma, WA 98402

Phone: 253-798-4857

From: Constance White <constance.white@piercecountywa.gov>
Sent: Tuesday, March 4, 2025 2:35 PM
To: Janelle Oleson <janelle.oleson@piercecountywa.gov>
Cc: Melissa Engler <melissa.engler@piercecountywa.gov>; Tonya Moore <tonya.moore@piercecountywa.gov>; Vicki Moll <vicki.moll@piercecountywa.gov>
Subject: Desk movement

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I look forward to our next meeting, where we can outline actionable steps to improve our communication strategy. Thank you once again for your understanding and collaboration.

Sincerely,

Constance

Constance R. White
She/Her/Hers
Clerk of Superior Court
Pierce County Office of the County Clerk
Phone: 253-798-3371
930 Tacoma Avenue South, Room 110
Tacoma, Washington 98402-2117
Email: constance.white@piercecountywa.gov

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EEO Complaint

Ogletree Deakins

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Telephone: 206-693-7057
Facsimile: 206-693-7058
www.ogletreedeakins.com

CONFIDENTIAL MEMORANDUM

TO: Julie Demuth, Acting Deputy Director, Finance Department
Treja Miranda, Deputy Prosecuting Attorney

FROM: Brenda L. Bannon, Investigator

DATE: March 14, 2025

SUBJECT: ***Executive Summary Report; Pierce County Clerk's Office EEO Investigation***

I. SCOPE OF INVESTIGATION AND SUMMARY

On or around October 11, 2024, Pierce County ("the employer") retained my services to conduct an outside impartial workplace investigation concerning allegations of improper workplace behaviors to include harassment and hostile work environment discrimination based on race. The need for the investigation grew out of statements made by appointed RC4 [redacted] or "Complainant") during and after a March 21, 2024 Diversity, Equity and Inclusion Strategic Oversight & Coordination Committee ("SOCC") meeting.

The investigation scope included evaluating whether current/former County Clerk's Office subordinate staff harbored discriminatory animus towards RC4 [redacted] such that they created a hostile work environment for her and/or facilitated a workplace of "mobbing" as described by RC4 [redacted]. In her interview, RC4 [redacted] also raised with the Investigator other aspects of her employment that caused her concern; selected illustrative examples will be addressed below.

Between November 26, 2024 and February 27, 2025, the following witnesses were interviewed: Complainant,[1] RC4 [redacted] (01/13 & 2/27), RC4 [redacted] (01/14), RC4 [redacted] (01/21), RC4 [redacted] (02/10), RC4 [redacted] (2/12), RC4 [redacted] (2/13) and RC4 [redacted] (3/13). Each witness was interviewed remotely using videoconferencing technology. RC4 [redacted] was my main point of contact to coordinate witnesses. Upon his retirement, I worked with Julie Demuth, Acting Deputy Finance Director. The PAO and Demuth helped compile relevant documents.

[1] Complainant was interviewed on 11/26/24; a mutually planned 12/09/24 follow-up interview was cancelled by Complainant; after many efforts to reschedule, on 02/26/25, a follow-up interview was attempted but was paused over logistical disputes once it began. No other interview was requested by Complainant.

Atlanta ▪ Austin ▪ Berlin (Germany) ▪ Birmingham ▪ Boston ▪ Charleston ▪ Charlotte ▪ Chicago ▪ Cleveland ▪ Columbia ▪ Columbus ▪ Dallas ▪ Denver ▪ Detroit Metro ▪ Greenville ▪ Houston ▪ Indianapolis ▪ Kansas City ▪ Las Vegas ▪ London (England) ▪ Los Angeles ▪ Memphis ▪ Mexico City (Mexico) ▪ Miami ▪ Milwaukee ▪ Minneapolis ▪ Montréal (Canada) ▪ Morristown ▪ Nashville ▪ New Orleans ▪ New York City ▪ Oklahoma City ▪ Orange County ▪ Paris (France) ▪ Philadelphia ▪ Phoenix ▪ Pittsburgh ▪ Portland, ME ▪ Portland, OR ▪ Raleigh ▪ Richmond ▪ St. Louis ▪ St. Thomas ▪ Sacramento ▪ Salt Lake City ▪ San Antonio ▪ San Diego ▪ San Francisco ▪ Seattle ▪ Stamford ▪ Tampa ▪ Toronto (Canada) ▪ Torrance ▪ Tucson ▪ Washington

I have compiled and reviewed contextual background information and relevant employer documents to include relevant personnel documents, the Clerk's Office Org Chart, the Employee Handbook, specific Human Resources investigations and findings, various personnel complaints and management follow-up memoranda and notes, exit interview summaries, miscellaneous memoranda, miscellaneous email, miscellaneous notes, transcripts, relevant policy provisions, news articles, and relevant publicly available information. Also, the PAO provided a summary memo of events and related documents at the start of the investigation; all of that information has been considered by the Investigator. The documents are too voluminous to individually list here. It is the Investigator's normal practice to accept business records prepared in the ordinary course of business as conclusive regarding dates and events. In an effort to protect the confidentiality of the investigation and to preserve the overall integrity of the general investigative process, I have only referenced participating witnesses' names in the narrative of the report where important to the overall context.[2]

II. POLICY PROVISIONS AND LEGAL STANDARD

The Investigator reviewed the applicable employer non-discrimination and anti-retaliation policy guidelines as the construct for the scope of this investigation. In her August 30, 2024 email to HR, RC1 also provided an excerpt from the County Administrative Guidelines as follows:

> Administrative Guidelines 3.16.030 Prohibition of Discrimination and Harassment. Harassment Defined. Harassment is a deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive sexual, racial, gender-based, national origin, religious, age-based or other class associated stereotypes and perceptions of social behaviors. Harassment can be verbal, non-verbal or physical. *It is not necessary that individuals intend their conduct to be harassing or act with a malicious or mean-spirited motive.* (emphasis in email).

"Mobbing" as referenced here generally refers to collective workplace harassment, ganging up against, and/or humiliation by employees against another employee, a concept introduced to HR and the Executive team in this matter by RC1 On August 30, 2024, following a "demand to bargain" labor management type meeting, RC1 sent a 3-page email to HR Assistant Director Melissa Arnold (copying several others) regarding the Clerk's Office new visitors' policy and a dispute that arose during the meeting; RC1 reportedly had cried and yelled at the HR representatives in a 08/29 Teams debrief meeting; RC1 specifically included the following definition of mobbing in her 08/30 email: "*Mobbing occurs when a group of individuals collaborate to intimidate, bully, harass, or pester one other individual. In a workplace, mobbing is when a group of employees participate in hostile behaviors towards another employee that makes it difficult for that employee to perform their job tasks and feel secure.*" ***

This report is an Executive Summary report and is not intended to be a comprehensive recitation of all the information that was collected, reviewed and considered as part of the investigation. The examples discussed in this report are thus intended to be illustrative and not exhaustive. If a description is a direct quote, it will be noted as such by quotation marks. The findings and conclusions set forth in this report are based on the entirety of the record considered by the Investigator and are

[2] RCW 42.56.250(1)(f).

not limited to the factual information contained in this report. The findings are based on a "preponderance of the evidence" standard which means that based on the credible evidence gathered during the investigation, it is "more likely than not" that an event occurred or did not occur as alleged. Background information is presented as context for the current workplace analysis. Finally, this report is not intended to provide any legal conclusions or offer any legal advice and should not be construed as such. Credibility determinations are made here where there is variance amongst witness statements or recollections.[3]

III. SUMMARY OF INVESTIGATION AND FINDINGS

At the outset, it is noted that several factual disputes exist. The parties generally acknowledged and/or referenced the same events but at times relayed varying recollection and personal perspective about the events. The one-on-one meetings between Complainant and others are without independent witness accounts as to what occurred or what was said at these meetings. In order to assist the Investigator in evaluating somewhat differing accounts of the specific content of events, the Investigator has reviewed the general chronology of events and various written memoranda that are relevant to these meetings and events, such as emails, summaries, transcripts, notes, and media coverage. Additionally, RC1 told the Investigator that she has no recollection of any person speaking to or about her using racially disparaging terms, slurs or jokes.

The weight of the credible evidence fails to support a finding that race-based or color-based animus motivated the events described by RC1 The evidence evaluated in this investigation fails to support deliberate or repeated unwelcomed behavior that is objectively offensive to a reasonable person embracing offensive racial stereotypes and perceptions of social behaviors. A.G. 3.16.030.

A. Employment History, Current Role, and Summary of Concerns.

2021. Following an appointment and confirmation by the Pierce County Executive, on December 6, 2021 RC1 began her position as RC1 as a part of the Executive branch of County government. This is the same position RC1 currently holds. This appointment was made after a national search, October panel interviews, and the evaluation of internal and external candidates. RC1 of Pierce County (now retired) was RC1 direct supervisor. RC1 moved to Washington State from Texas with her spouse and began her new position in a new community.

In this new position, RC1 was responsible for managing over 50 employees and all of the Superior Court Clerk's Office Operations. Her last position in Texas was as Court Administrator for

[3] Generally speaking, credibility is not merely a determination of whether a witness is being truthful – it involves consideration of a number of factors which include, but are not limited to: (i) ability to observe; (ii) ability to recall and consistency of recollection; (iii) reputation for truthfulness; (iv) statements by other witnesses that are consistent or inconsistent with those of the declaring witness; (v) self-contradiction; (vi) bias/unusual interest in the outcome of the case or a friendly or hostile relationship with one of the parties; (vii) contemporaneous documentation; and (viii) an individual's conduct during the investigation, including demeanor and body language during interviews and/or other tangible and intangible conduct that goes to a witness's sincerity. Life and work experiences are also factored in as to a witness's perspective.

the City of the Colony.[4] Her past work experience was primarily with municipalities. One witness told the Investigator that after RC1 appointment was announced, a well-respected attorney (who was also a person of color) called her to raise the question of how an "outside hire" from a small city made sense over the qualified internal candidates; "DEI" was mentioned in passing by the attorney.

At the time of RC1 hire, the Chief Deputy Clerk position was vacant; RC1 reported directly to RC1. RC1 was a long-term employee and had unsuccessfully applied for RC1 position. As described in summary below, RC1 currently claims that issues of race were raised by RC1 during her first week of employment. Once RC1 got established in her role, she began to have regular meetings with RC1. When workplace issues arose, then-RC1 would occasionally participate in these meetings. RC1 also had her own routine check-in meetings with RC1. Both RC1 and RC1 had also been involved in interviewing and selecting RC1 for her position. RC1 also regularly participates in the executive cabinet meetings.

2022. In early 2022, RC1 provided RC1 a Memo of Expectations ("MOE") in the aftermath of an HR investigation. The founded misconduct involved the RC1 sending an angry member of the public to the County Executive's Office to lodge a complaint. According to the MOE, the individual was so angry and disruptive that he required a Sheriff's Deputy escort away from the Executive's Office. After receiving the MOE, RC1 was heard to slam his office door; this has been admitted to by RC1

Later in early spring 2022, RC1 opened the hiring process for the vacant Chief Deputy Clerk position. Both RC1 and RC1 applied for the job. RC1 was selected.[5] Subsequently, during an April 2022 meeting in RC1 own office to discuss the Deputy Clerk selection, RC1 was described to box RC1 in her office table while animatedly asking questions about his future, raising his voice, and leaning over RC1 office table; this description has been contested by RC1

In the aftermath, there was a May 2022 all staff Clerk's Office meeting to address among other items, the selection for Deputy Clerk. RC1 was standing very near RC1 during this meeting. There was a disagreement in investigative facts concerning whether or not RC1 was being intentionally encroaching and intimidating towards RC1

The ensuing HR investigation resulted in three out of four specific allegations being substantiated. In July 2022, RC1 provided a memo to HR regarding her performance expectations for RC1 and her observed performance deficiencies. In August 2022, RC1 delivered a letter of discipline (NOIS) to RC1 that included a period of suspension; RC1 signed the letter. Before the discipline was carried out, RC1 had a pre-disciplinary meeting with RC1. Despite conflicting opinions on the matter with members of the investigative team, RC1 told the Investigator that she was of the opinion that the discipline of suspension should be carried out. RC1 issued an October 5, 2022

[4] The City of the Colony has a population of approximately 45,000; Pierce County has a population of approximately 930,000.

[5] That Deputy Clerk resigned from her position in Fall 2023 and participated in an exit interview with the County Executive; she had been a long-term employee of the Clerk's Office.

notice memo for a 5-day suspension; RC1 was copied on this memo.[6] RC1 subsequently delivered to RC1 an October 20, 2022 "Clarification of Expectations" memo addressed to RC1 that she signed. RC1 later provided RC1 a November 15, 2022 memo response to his grievance of discipline that upheld the 5-day suspension; RC1 was copied on this memo. RC1 told the Investigator that in mid-November 2022, he resigned from his employment after carrying out his suspension; RC1 also provided an exit interview. During 2022, there was no documented racism raised by RC1

One witness told the Investigator that two of her Clerk's Office colleagues told her -- after the first 2022 HR investigation involving RC1 -- that "she [Complainant] must've been hired because she was black." This same witness refused to tell the Investigator the names of these employees or whether they still work in the Clerk's Office; they were referred to as "bigots." This witness denied hearing that statement or similar statements being made by RC1 This witness described that such comment was made after grumbling began about staff treatment by RC1 , and after concerns were voiced about RC1 knowledge base to run the Clerk's Office operations based on observations and conversations. This same witness recounted a conversation in RC1 own office "early on" where RC1 was "emotional" and recounted, "I'm a 51-year-old woman… But…it never stops hurting when people don't, that people don't think she's qualified or the people, that she continues to have to prove herself." This witness stated she never heard any employee "say that they didn't like RC1] because she was black."

2023. During the course of 2023, financial anomalies at the Clerk's Office began to be unearthed. RC1 worked with the RC1 and the County's internal auditing personnel to evaluate and address the issues and to add additional financial oversight, processes and controls. In addition to working with RC1 on these issues of financial irregularity, RC1 had previously worked with RC1 and her staff regarding routine budget preparation issues. RC1 and RC1 also both served on the executive level DEI Strategic Oversight & Coordination Committee ("SOCC"). Throughout this time working on various projects, RC1 expressed to the RC1 her perspective that various members of her staff were unsupportive and unhelpful to her. These concerns were similarly raised to RC1 and RC1 .

In late Spring 2023, the Clerk's Office Budget and Fiscal Services Manager ("Manager") resigned from his position; he obtained a manager position with Pierce County District Court and later with Superior Court. He had been a long-term employee with the Clerk's Office. On August 15, 2023, RC1 k held a lengthy and frustrating meeting with Archer and two members of her HR staff to try to address how to get specific finance-related work done in the aftermath of the Manager having quit without leaving behind written procedures or protocols, and one staff (who had some cross-training) had decided to stop performing out-of-class work. The consensus of evidence supports that the Manager, though still a County employee, refused to help. According to contemporaneous notes, during this lengthy meeting, RC1 asked HR who would defend her in court if a "charge" was lodged against her for not getting this Clerk's Office work done. In the summer and fall 2023, the State Auditor's Office ("SAO") conducted an audit of the Clerk's Office and entered some adverse

[6] RC1 10/05/22 memo recounts the 05/22 staff meeting allegation of intentionally standing too close to RC1 as though it were a substantiated finding from his perspective.

findings on these fiscal issues. In September 2023, the County entered into an Executive Coach contract with an outside expert to provide additional support to RC1.

Additionally, after conducting a review of the history of the arrangement, in December 2023 RC1 terminated a longstanding informal agreement with a Title Company that had allowed the company to work from a table in the Clerk's Office without paying rent; this upended employees' decades-long protocols for Title issues and public document requests. This issue was later covered by the local news media in May 2024.[7] During 2023, there was no documented racism raised by RC1 generally; such was not raised directly to either the RC1 or RC1 during 2023.[8]

2024. In early March 2024, a local Tacoma newspaper reported information regarding the SAO audit and findings that were arguably not flattering to the Clerk's Office. In a separate article in early March, the same newspaper also reported that the Pierce County Clerk's Office staff were making allegations of a toxic workplace environment as created by RC1, RC1 and another former Clerk's Office employee denied to the Investigator bringing this information to the media.

In the March 21, 2024 SOCC meeting, RC1 became emotional and announced to the attending committee members that she no longer wanted to serve on the committee. She stated words to the effect that "nothing changes." Among other things, RC1 also recounted that she had been experiencing racism in the Clerk's Office during her term of Pierce County employment. Archer served as the Chair of the SOCC and attended this meeting. The RC1 was also present at this meeting. He explained to the Investigator that this was the first time he had heard RC1 raise racism as describing her experience as the RC1. The then-RC1 also attended this meeting. He recounted to the Investigator that RC1 asserted to the group something along the lines that "people do not know what it is like" when someone does not want to work with her "because she is black." The RC1 had not heard RC1 recount this experience before. This incident was reported to RC1

The RC1 and then-RC1 followed up by meeting with RC1 several days later on March 25, 2024. RC1 specifically described to them that during the start of her employment, RC1 had told her that by hiring RC1 instead of RC1 -- the County had "gone a different direction" because RC1 "was black." Among several other issues, RC1 additionally

[7] During her interview, RC1 observed that RC1 was under quite a bit of "public scrutiny" with reporters calling. "It appeared to her that as they discovered things that hadn't been properly done by the previous clerk, as soon as they were discovered, somebody at the newspaper knew" and they would use it to say RC1 was not correctly managing the Clerk's Office. The Investigator notes that Kevin Stock provided an interview with at least one news reporter.

[8] In summer and fall 2023, several other Clerk's Office employees also resigned, to include the Criminal Diversion Program Manager; this employee had been a final candidate for the County Clerk position, had been promoted by RC1, had tried to split her workgroup off from the Clerk's Office, and had participated in an exit interview with the County Executive at the time of her separation. Various complaints about RC1 management style and operational acumen were made to HR in 2023. There were some follow up interviews in some instances but based on current review of documents and information received in the current investigation, it appears that no formal HR investigation occurred.

described her perspective that Clerk's Office employees were generally unhelpful and disrespectful to her due to racism, and that based on her experienced treatment by her subordinates, she had been a recipient of "mobbing."

On June 3, 2024, HR investigator, EEO & ADA Officer Vicki Moll emailed RC1 an EEO complaint form with some policy information. During a brief June 4, 2024 Teams call, RC1 told Ms. Moll, that she had been experiencing bullying, harassment and mobbing for two and a half years. RC1 posed the question "why now?" According to transcribed notes from a subsequent June 12, 2024 Teams call, RC1 told Ms. Moll:

> Looked at the policy. The part in my mind is to report things - that's *all* believe I've *been* doing - I've been reporting since I've been here. No one does anything. When you get to a point where you want to drive your car off a bridge… this is my life, and nobody cares about the trauma I go through. I'm supposed to accept it and am told I need to play nice. I don't know how to navigate, the policy says you report it and hope that this is never a race issue, but it *is* because people tell you things that bring it back around to that. Because I'm not the first… I've never been one to try to say that - I feel that is the easy way. I try to look at things from a different perspective. But when someone tells you that they are doing this because you are black. I can change my tone/approach, I can't change skin color.

Per the contemporaneous notes, RC1 larified to Moll that it was RC1 who had referred to the color of her skin. This is denied by RC1. Ms. Moll, repeatedly tried to interview RC1 (sent 06/03/24 email, complaint form, made phone calls, sent meeting invite), but RC1 repeatedly declined to be interviewed. On July 14, 2024, RC1 sent Ms. Moll (copying others) an email briefly discussing her perspective of being the recipient of workplace harassment and declining to be interviewed regarding the same. On August 15, 2024, after conducting staff interviews, HR closed out the June 11, 2024 disrespect investigation (not substantiated).

In early July 2024, RC1 issued a new visitor's policy for the Clerk's Office that was not well received by her staff. The Investigator speculates that the policy was issued in part due to RC1 not being comfortable with RC1 visiting with staff, but this is not confirmed. On August 29, 2024, there was a demand to bargain meeting with management and the union regarding in part, the new visitor's policy; afterwards, an emotionally charged Teams meeting ensued between RC1, the HR Assistant Director and then RC1. RC1 expressed upset over the union representative having suggested that RC1 treated newly hired employees differently from longer term employees. RC1 August 30 email discussing "mobbing" followed; race was not mentioned in RC1 email.

(i) <u>County Executive telling Complainant shortly after her hire that he needed to connect her with the "Black Collective."</u>

RC1 explained that on the day of her confirmation, the Executive told her he needed to get her "in front of" the "Black Collective." The "Black Collective" has been reported to the Investigator to be a volunteer group of black leaders who advocate and collaborate with public and private entities,

government, and business enterprise for mutual advantage and to promote the Collective's interests.[9] For example, the Black Collective was one of the County's partners in helping to inform the County's pandemic recovery work. Complainant told the Investigator that she was disconcerted by the County Executive telling her soon after her hire that he should be sure to get her connected with the Black Collective or words to that effect. As an advocacy, networking and/or affinity type group, even if such a conversation occurred, such individually does not provide a racially hostile remark such that it was patently harassing or offensive.

(ii) Complainant not feeling welcomed during the onboarding process to include her department staff apparently not being informed that she had been hired or was coming in on a particular day.

RC1 informed the Investigator that after her confirmation in late November, she went to her new office to explore the setting; she was not scheduled to start her new position until December 6. She had not been introduced to her staff, and specific staff to include the Interim Clerk seemed uncomfortable, unwelcoming and not aware that she might be arriving.[10] The Executive team did not specifically announce to the Clerk's Office employees which date RC1 would be arriving at her office. There is no evidence to suggest that RC1 was singled out in this regard. There was a press release concerning RC1 hire that was circulated and referenced by several witnesses. The press release stated that RC1 first day would be December 6, 2021. Another Caucasian Director comparator employee does not recall any specific announcement to her staff or overt welcoming efforts by her staff made at the time of her own hire. Specific interviewed former Clerk's Office employees told the Investigator they thought staff were welcoming to RC1 when she first began her employment. A formal orchestrated welcome could have improved RC1 experience, but as described here, its absence does not implicate the County's nondiscrimination policy provisions.

(iii) Complainant observing that her physical office space was dirty, and she had to clean it.

RC1 also described her upset over her "very dirty" office space. The Executive team did not specifically arrange for the County Facilities Management Department's custodial cleaning crew to clean RC1 individual office. Again, there is no evidence to suggest that RC1 was singled out in this regard. The evidence evaluated here does not support a conclusion that the County Executive or his team publicly hired RC1 and then intentionally humiliated her by purposefully allowing her to arrive in an unkempt office with a stale and dirty refrigerator. The Investigator notes that RC1 expressed that she was in fact put off by the dirt, dirty fridge with leftover moldy food, and need to request cleaning supplies to clean her own office. This upset was recounted to RC1 in March 2024 The individual concierge aspect of onboarding a new County Director could be improved but racial animus is not described or implicated here.

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[9] About Us

[10] Witness RC1 was not at work on RC1 first day.

(iv) RC1 telling Complainant during first week of employment "the County decided to go a different direction" – "you're black" (regarding not appointing RC1).

RC1 told the Investigator that when she first met RC1, an applicant for RC1 job, RC1 made it clear to her that he was unhappy not to get her job; RC1 stated that despite the prior "plan," the County "decided to go a different direction."[11] When RC1 asked what RC1 meant, RC1 responded, "you're black." RC1 told the Investigator, "And I was like, I said, well, I'm just going to take that as I'm from Texas. And I got up and I walked out of the office because at that point in time, I knew where I stood with him who was just not nice." Per RC1, the following week she had a Teams check-in meeting with RC1 and told RC1 that RC1 made this statement. RC1 denied to the Investigator ever hearing this statement from RC1 until after the March 21, 2024 DEI SOCC meeting; RC1 acknowledged that RC1 told her that "the County went a different direction" along with RC1 apparent disgruntlement – but nothing about highlighting RC1 race. Until the March 2024 SOCC meeting RC1 took no notes of her years of discussions with RC1

RC1 denied to the Investigator ever telling RC1 that the County decided to go "a different direction" and something along the lines of, "you're black." In his interview, RC1 asserted that he first learned that RC1 was alleging racial animus during his interview with the Investigator. The key County executives that worked closely with RC1 in 2022 through March 2024 have no recollection of RC1 specifically attributing racism to RC1 ongoing complaints of her staff not supporting or helping her and disrespecting her. During the Clerk's pre-March 2024 myriad of informal complaints, formal complaints, written memoranda and interviews concerning RC1 in particular, she never before March 21, 2024 had raised racism to HR as a contributing factor in RC1 motivation.[12] RC1 had left County employment in November 2022.[13]

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[11] In his interview with the Investigator, RC1 disavowed having a prior belief that he was the natural successor to Kevin Stock in the Clerk's Office or stating to others having such a belief; based on a review of the evidence as a whole, the Investigator finds this assertion to be dubious. The Investigator also does not credit RC1 statements that he did all he could to make RC1 new role comfortable and positive. RC1 description continuing to reframe his behaviors that are the subject of 2022 substantiated investigation findings and discipline are also not credited by the Investigator.

[12] In then-Senior Labor Relations Analyst Melissa Arnold's May 5, 2022 notes from an interview with RC1 the following is summarized regarding RC1 "Hasn't physically done anything. Concern is unpredictability. Concerned about his instability. Behavior has gotten worse since she arrived. Behavior already there as others had told her that. Started when he didn't get past phone interview for clerk position. Isolated for weeks, wouldn't talk to anyone, slamming doors. When she arrived, his reception was very unpleasant."

[13] On July 8, 2024, RC1 was rehired by the County as a staff member in the Prosecutor's Office. This rehire was officially announced within the Prosecutor's Office on August 1. Even before his rehire, RC1 would occasionally visit former coworkers in the Clerk's Office. According to RC1, when RC1 heard about/saw this, she called RC1 to inform that she was afraid of RC1. Once RC1 was rehired, RC1 confirmed that his badge would not access the relevant section of the parking garage. According to RC1 when he learned that RC1 was expressing fear after RC1 s re-hire, he gave RC1 his parking slot in the garage for ease of entry/access, and RC1 was connected with the Sheriff's Office security for escorts to her car. In July 2024, RC1 presented a new visitor's policy to her staff. Notably, on 08/29/24 during the emotionally charged Teams meeting with Arnold and RC1), the

RC1 told the Investigator that RC1 frequently raised racism *as a question* when she expressed her upset and frustration with her staff not supporting her efforts or disrespecting her; RC1 wondered aloud if racism could be the reason. RC1 explained that these types of conversations occurred with some frequency, and they all "melt together" in his mind. Per RC1 such a questioning "…was probably prompted as it often was by a specific instance of what she deemed lack of support or insubordination or inappropriate behavior associated with a meeting, a discussion, any issue." Per RC1 when he asked RC1 for specifics, "she said, there's nothing anyone has said or done that's clearly racist on its surface. It's just an accumulation of responses, actions that collectively indicate there must be a common attribute for all of this."

Regarding RC1 in particular, RC1 recalled at some point RC1 recounted that RC1 had said that he thought he was not going to like her "because you were black," but RC1 also stated that he changed his mind. RC1 stated he did not recall when RC1 told him about that statement, but it "was probably in the first year." This type of statement is denied by RC1. Per RC1 he recalled more than once reminding RC1 that it was her right to bring a complaint to HR; RC1 typically responded with words to the effect that she wanted to focus on doing her job and not rely on her race or raise a complaint. RC1 took no notes of his years of conversations with RC1. The Investigator observes that RC1 recollection of certain details in his interview are vague or are contradicted by specific records; the Investigator attributes this to memory rather than credibility (i.e., what RC1 discussed in his *Loudermill* hearing, reasons for RC1 discipline, or whether RC1 served his suspension before resigning).

(v) **RC1 telling Complainant that a particular staff member did not want to help her because she is black and minimizing described staff behaviors.**

In particular, RC1 described to the Investigator that after her RC1 , resigned in late spring 2023, he refused to help her when RC1 , and other staff were sorting out financial anomalies regarding account reconciliation during the 2023 audit and while addressing routine operations. This scenario has been confirmed by other witnesses. After leaving the Clerk's Office, RC1 began working for the District Court and then moved to Superior Court -- supervised by the Court Administrator.[14] By report, written protocols were not left by RC1 for

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RC1 loudly expressed to the HR representatives her anxiety related to "somebody" coming into the Clerk's Office, and she has stated that she has County Security staff walk her to her car at the end of her workday. RC1 RC1 described being "scared." On 08/29/24, RC1 also stated: I have to deal with somebody I am afraid of coming down in this office to intimidate me every chance he gets. And you know what? Also, staff that's here that allows him to come down here. I have a panic button in my office because I'm scared." In his interview with the Investigator, RC1 described his current dealings with the Clerk's Office: "I do have occasional workings with them as our office does filings and we have to request copies of prior records and things like that. So generally, right now a lot of my interactions can be done remotely. I don't have to go into the office for a whole lot, but occasionally I will need to go down to get subpoenas issued and pick up hard copies of documents that were not electronically processed." RC1 told the Investigator that he continues to routinely socialize with two Clerk's Office supervisors outside of work, and they have visited together at the Clerk's Office.

[14] RC1 current supervisor, the Court Administrator, is the husband to RC1 former Chief Deputy Clerk who resigned in 2023.

others to use. Per RC1, RC1 told her that "he's not going to help you because you're black." RC1 denied to the Investigator making a statement to RC1 that RC1 or any employee did not want to work with her because she is black. RC1 explained to the Investigator that she never met with RC1 or a partially cross-trained employee, RC1 regarding this topic. RC1 also denied speaking with RC1's supervisors on this topic.

RC1 told the Investigator that the color of RC1 skin was not raised in any fashion by RC1 in this scenario. With regard to sorting out the Clerk's Office' financial issues in 2023, according to RC1 and RC1 spoke with RC1 District Court supervisor to get some help, and the response from RC1 was "no." When RC1 moved to Superior Court, RC1 made another request for help -- through the Court Administrator -- and the response was the same. Another staff member, RC1 who had some limited finance cross training, and had temporarily been performing specific duties while getting paid "out of class," eventually refused to help; RC1 was involved in meetings to address these issues. Race was not raised by RC1 in recorded notes from an August 15, 2023 meeting with several members of HR.

RC1 told the Investigator that at that time, he was not in a position to intervene given that RC1 no longer worked for the Clerk's Office. RC1 told the Investigator that race was not an issue in his interactions with RC1, but he felt like she created a hostile work environment for him and his colleagues; he affirmatively asserted that he left a red binder of all needed financial protocols in his office when he left the Clerk's Office and laterally transferred to the District Court. RC1 denied collaborating with any person to make RC1 life more difficult or telling RC1 that the office would fail without him; he emphatically explained to the Investigator that he refused to further assist RC1 because of the way he had been treated during his employment as her subordinate.[15]

Since 2022, RC1 had been routinely involved in speaking to RC1 about the scope of work at the Clerk's Office, operational and personnel conflicts, and the various HR investigations or inquiries that RC1 was involved in either as a complainant or participant. Archer had no recollection of hearing from RC1 any pre-March 21, 2024, statement that RC1 staff failed to help her or otherwise intentionally made her director job at the Clerk's Office more difficult *due to her race*. RC1 told the Investigator that over time RC1 would question motives and say she was raised not to attribute race as a motive for poor behavior.

RC1 explained to the Investigator that she spoke with RC1 about her concerns after she heard about them in late March 2024. Archer has tried to share her own experiences with RC1 as to not having organized office space or furniture when she arrived at her County employment and not feeling welcomed by her own staff. RC1 also spoke with RC1 about ways that she could try to work with her staff in a more collegial manner and try not to take disagreement personally (i.e., there are many reasons why employees misbehave). Over time, there had been many conversations surrounding Pierce County administrative guidelines and procedures for career service employees and the need to follow the bargaining agreements for union employees. These layers of procedure for

[15] The Investigator notes that RC1 stated he gave RC1 a positive reference when the County recently was seeking input. RC1 remains "friends" with Kevin Stock and keeps in touch with other former co-workers. RC1 provided an "anonymous" complaint memo to the Finance Department in October 2022 that was shared with the Executive's Office at the time; he also met with RC1.

managing employees and imposing discipline were at variance with RC1 prior work experience in Texas. Per RC1 and an independent review of specific meeting notes, these discussions tended to raise frustration for RC1.

(vi) Department staff not supporting or helping Complainant (particular staff resigned).

RC1 repeated to the Investigator her perspective that has been repeatedly shared with others regarding the lack of support and help from her staff. As referenced above, many staff left the Clerk's Office over the course of late 2022 and 2023. As a former Supervisor, RC1 described to the Investigator that he never heard anyone raise the subject of RC1 race in any fashion, and he never heard anyone describe RC1 's race or color as connected to any reason for resigning from the Clerk's Office and obtaining other employment either within or outside of County employment; he also denied hearing anyone use disparaging or denigrating comments or state jokes regarding RC1 as connected to her race or color. The former manager of the Criminal Diversion Program – who was also the interim Clerk during the 2021 selection process – denied to the Investigator ever hearing any Clerk's Office staff address RC1 race or color through the use of vulgarity, profanity or jokes. A witness who found other employment told the Investigator that at one point she became fatigued regarding employees complaining of RC1 "treatment" so she told them they should leave and find other employment. Many written complaints/memoranda about RC1 management/communication style describe reasons unconnected to race or color as the rationale for choosing to resign from the Clerk's Office. CH and the former Criminal Diversion manager specifically denied to the Investigator trying to make RC1 life difficult or encouraging others to be difficult or make RC1 role more difficult.

As described above, neither the former RC1 nor the former RC1 recall RC1 raising racism by her staff until March 21, 2024; RC1 was the specific staff member that RC1 dentified.

(vii) Department staff not appropriately greeting Complainant in the mornings (eye rolls/ignore).

RC1 reiterated to the Investigator her previously raised concern that her staff did not return her morning greetings, and some rolled their eyes during morning greetings; RC1 has articulated a belief that such rude behavior has been orchestrated. RC1 told the Investigator that she worked with RC1 "about strategies for improving" that scenario, and also emphasized "that the majority were not behaving in that way." RC1 did not provide specific names to RC1 or the Investigator. The Investigator has not located evidence to corroborate this allegation by the weight of the evidence that many staff have generally failed to return RC1 morning greeting and some in fact rolled their eyes at her. Neither RC1 nor the former manager of the Diversion Program endorse this description. A current administrative staff member informed HR during a June 2024 investigation that two current staff members do not return RC1 greetings, and these same staff are mean to RC1 ; one staff member denied this description when interviewed by HR. As time moved forward in RC1 tenure, the weight of the evidence supports a conclusion that there likely arose non-discriminatory reasons for various now former staff to not feel inclined to robustly greet RC1

(viii) Department staff being disrespectful of Complainant (HR investigations).

RC1 repeated to the Investigator her perspective that at least two staff members were explicitly rude to her during two separate all staff meetings; the implication is that such was orchestrated amongst the group against RC1. HR contemporaneously followed up to investigate two specific complaints by RC1 regarding allegedly disrespectful staff behavior in staff meetings. Based on the evidence supplied by other witnesses with knowledge, these allegations, (i) encroaching on RC1 personal space in an intimidating fashion (April 2022) and (ii) raising voice and turning back on RC1 (June 2024) were not substantiated.[16] The spring 2022 door slamming, and office intimidating behavior allegations were substantiated RC1 According to RC1 and the documents reviewed by the Investigator, race as a motivating factor was not specifically raised by RC1 during either of these investigations; disrespect, harassment and hostility by her staff as a general concept has been raised by RC1 during the last several years.[17]

(ix) A Department Director asking Complainant her perspective of the black community's potential reaction to a jury verdict in a high-profile trial.

RC1 explained to the Investigator her affront to another Director asking her perspective about what the "black community's" reaction may be in the aftermath of a high-profile use of force verdict (12/2023). RC1 explained to the Investigator that she found this inquiry to be offensive. The Investigator gleaned that RC1 does not see herself as the emissary of the black community, and RC1 pointed out at the time that whatever the verdict outcome, it would impact more than just the black community. This inquiry may have offended RC1, but there were no slurs or denigrating comments made to RC1 -- or demeaning statements of any kind -- due to her color or race. RC1 was one of many recipients of the 2024 Executive's Award for her participation in a large team tasked with making the trial process transparent and accessible. Arguably, the Director in question may have made a clumsy inquiry while valuing a colleague's perspective, however such by

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[16] In June 2024, after the staff meeting in question, RC1 told Vicki Moll that "I'm afraid of the continued disrespect. There is a group of people here. I try to not invest in, it's hard to navigate. I've tried not to allow them to pull me down in, or into new staff. When new staff are saying to me "why are they so mean to you?" This isn't isolated. People have been here a long time, have an established status, and new employees don't want to go against that. I don't…." Later, RC1 received a copy of the August 15, 2024 investigation closure letter (allegations unsubstantiated).

[17] For example, after the August 2024 demand to bargain meeting that led to RC1 August 30, 2024 email to HR and the Executive team, RC1 told Melissa Arnold that she was tired of all the harassment and mean people and provided the following example of something that upset her: "I go and spend my own money to make this a nice space [break room] for these same people who are so mean to me, won't even say good morning, but I'm treating them differently?! I don't understand that. I buy a 55 inch TV and they say 'it should've been a 70, why wasn't it that?' I can't win. I can't win!" RC1 has repeatedly raised with RC1 and RC1 her upset about certain current staff members and specific former staff members, RC1 and RC1 not cooperating with her and disrespecting her; such was also specifically raised in an August 15, 2023 lengthy, emotionally charged meeting with RC1, a newly hired Fiscal Manager, and several HR employees, to include RC1 then Asst. Dir. HR, Lisa Hilligoss, and then- RC1 ("Disrespected, talked about to my face, and it doesn't get any better for me.")

itself does raise a patently offensive issue to support harassment or a hostile work environment for RC1.

(x) RC1 and RC1 suggesting to Complainant that she discuss her concerns with a newly hired deputy prosecutor who is a person of color.

RC1 told the Investigator that after a new deputy prosecutor was hired in summer 2024, RC1 was encouraged first by RC1 and later by RC1 to speak with the attorney in part because the new prosecutor was a person of color. RC1 agrees that she encouraged RC1 to speak with this newly hired prosecutor as an outsider with a fresh perspective, an accomplished attorney from a respected law firm, and perhaps as a person of color there may be some helpful frame of reference for RC1 various concerns. Per RC1, RC1 had more than once referenced that the people she worked with do not "look like me." RC1 denied to the Investigator having a recollection of making a similar recommendation to RC1. However, he took no issue with the suggestion. This particular suggestion was offered as a resource to RC1 and not to create a harassing work environment or to otherwise offend RC1. The suggestion was offered amongst the array of earlier efforts by RC1 and others to respond to RC1 concerns and emotional upset, to include EAP services, in the context of RC1 repeatedly stating that she did not trust the prosecutor's office and she did not want to participate in a formal HR workplace investigation.

B. Conclusion

In December 2021, Complainant was hired as the appointed RC1, and she remains in that executive role today. When the new Pierce County Executive was elected into office in fall 2024, RC1 was re-appointed to her position. RC1 has not received any discipline or adverse employment action. Instead, the executive office has supported RC1 and given her the benefit of the doubt that past Clerk's Office staff complaints (formal or otherwise) largely resulted from (i) RC1 being a "change agent" for important operational process change and (ii) the staff being change averse. The former County Clerk had been with the County for almost two decades and the staff were accustomed to carrying out their responsibilities in a manner consistent with their prior boss' expectations. In many of the voluminous documents reviewed by the Investigator, some Clerk's Office staff have described feeling some surprise and some angst regarding the County's decision to appoint "an outsider."

During her term of employment, RC1 has been charged with implementing improvements to the Clerk's Office; she inherited many significant problems to include issues with financial oversight, account reconciliation, records management and retention practices, a need to convert from paper to electronic records, lack of cross-training, outdated software, and facilities issues such as rodents nesting amongst paper records, and a need to change out/update an employee break room. RC1 also implemented security improvements such as installing a "panic button" in her own office[18] and another staff's office, updating Lenel badging office access protocols, updating front counter protocols, implementing a new visitor's policy. RC1 also terminated a decades-long

[18] RC1 previously informed HR that she had the panic button installed in her own office in response to RC1 Spring 2022 encroaching and intimidating behaviors that resulted in his letter of suspension.

arrangement with a Title Company that had been working out of the Clerk's Office; this disrupted the employees' property title and public document request protocols.

Some notable staff attrition has contributed to workplace stress and loss of institutional knowledge. By fall 2023, the Clerk's Legal Processing Supervisor, Fiscal Manager, Deputy Clerk, Criminal Diversion Manager and many others had resigned; others had retired or were involuntarily let go. There were also employees that appear to have intentionally refused to extend themselves to be helpful during significant times of transition. In response to the angst described by RC1 during the first 20-months of her employment, in fall 2023 the County hired an Executive Coach to work with RC1 to help support and professionally problem solve effective leadership dealing with difficult staff in the face of the challenging issues described in part herein. Per RC1 the County has also suggested outreach to EAP services, and provided to the Clerk's Office staff additional DEI training, change management training, and managers' teambuilding training. In support of RC1 the County did not launch formal HR investigations when staff raised concerns regarding RC1 style of leadership or communications with staff. RC1 supervisor regularly met with RC1 to problem solve and support her in her role, and after March 2024, the HR Director routinely joined these meetings to try to provide support to RC1 . By many accounts, RC1 has been very emotional when recounting her frustrations with these many staff and operational challenges, and when describing her perspective that her work environment is harassing and hostile.

However, with one exception, neither RC1 nor any other witness interviewed in this Investigation recalled hearing any person ever verbally disparage RC1 due to her race or color, or use denigrating terms, slurs or jokes to or about RC1 due to her race or color. The anonymous written complaints provided to the Executive Office contained no race-based denigrating description. One witness recounted hearing two unnamed coworkers state that RC1 must have been hired because she is black (sometime after the first 2022 RC1 personnel investigation). The County policy provides the following examples of impermissible workplace harassment:

> Such impermissible conduct could include, but is not limited to, sexual, racial or ethnic jokes, mocking an accent or manner of speech, denigrating an individual because of membership in or affiliation with a protected class, displaying cartoons or literature embracing racially, sexually, or ethnically offensive clichés, or outright threat that a job or a job benefit would be denied because of membership in or affiliation with a protected class.

3.16.030.

The weight of the evidence evaluated in this investigation fails to support a finding that race or skin color was a motivating factor in the specific workplace disputes with RC1 subordinates, or others, described in summary fashion here. Similarly, "mobbing" is not supported by the evidence reviewed here.

Please advise should you need further investigation, clarification or elaboration.

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MARY E. ROBNETT
Prosecuting Attorney

October 9, 2024

SENT VIA EMAIL ONLY TO:
brenda.bannon@ogletree.com

Brenda L. Bannon
OGLETREE DEAKINS
1201 Third Avenue, Ste 5150
Seattle, WA 98101

RE: Pierce County Clerk's Office Investigation

Dear Ms. Bannon:

The following background materials have been compiled to provide you with a detailed understanding of the relevant background, history, and scope of your investigation into the allegations of race-based discrimination and a hostile work environment alleged by RC4 [redacted]. In this packet, you will find the following:

- **A.** Scope of Work
- **B.** Investigation Background Summary
- **C.** Chronology of Relevant History
- **D.** Potential Witness List
- **E.** Exhibits Index

A. SCOPE OF WORK

The purpose of this investigation will be to discover the basis for RC4 [redacted] repeated claims that she has been the victim of race-based discrimination, mobbing, harassment, and a hostile work environment.

B. INVESTIGATION BACKGROUND SUMMARY

RC4 [redacted] was hired as RC4 [redacted]. RC4 [redacted], who was an external candidate, was one of three final candidates considered for the position along with another external candidate who was a Hispanic male, and internal candidate RC4 [redacted] Though he was not selected for an interview RC4 [redacted], who was at the time

RC4, also applied for the role of Clerk of the Court. Upon entering the Clerk's Office as RC4 began instituting changes in process and procedure. Despite the fact that some level of change was necessary to correct the disorder left behind by the former RC4 and some of her changes were met with resistance and tension by Clerk's Office staff.

Shortly after her hire, RC4 began complaining about negative interactions with Clerk's Office staff beginning with an incident that occurred in April 2022. During an interaction between RC4 and RC4, who was at the time a RC4 notified RC4 that she had not selected him for the position of Deputy Clerk, and RC4 reacted in an aggressive manner and was "stern, dominating, and intimidating when he leaned forward across the table and repeatedly said, 'you need to tell me what my place is here,' and asked, 'what do I do now?'" The allegation that RC4 leaned across the table towards RC4 in a dominating and intimidating manner during the April 29, 2022, meeting to discuss the Deputy Clerk position was substantiated through an internal investigation conducted in May 2022 by Melissa Arnold (who was then a Labor Relations Analyst but was promoted to Assistant Director of Human Resources Labor and Employee Relations in October 2023). **Exhibit A**.[1] This incident made RC4 feel uncomfortable enough to have a panic button installed at her desk. RC4 negative interactions with staff continued after RC4 left Pierce County employment in November 2022.

Throughout 2023, RC4 made complaints to Pierce County Human Resources RC4 that she felt generally disrespected by her staff. She reported that when she would say "hi" upon arriving to the office in the mornings, some individuals would divert their eyes to look away, would ignore her, and/or would approach her in private to let her know that they wanted to respond, but felt concerned about the social repercussions of acknowledging her in public. RC4 complained that she felt some staff were dismissive towards her, would roll their eyes or snicker at her, and were generally unwelcoming or unkind. On one occasion, RC4 reported that after spending her own personal funds to purchase a TV and reclining chairs for the office breakroom, a facilities worker made a comment about why the TV that she had purchased was "only 55 inches" rather than 60 or 70 inches.

In an effort to support RC4 in her role as RC4, and with knowledge that RC4 was being met with some resistance from Clerk's Office staff, RC4 and RC4 of the Executive's Office, met regularly with RC4 to speak with her about how things were going. RC4 made a lot of her complaints about the work culture and the mistreatment she suffered to RC4

[1] RC4 Investigation File.

during their recurring meetings. For additional support, RC4 also began management coaching in September 2023. **Exhibit B**.[2]

On March 21, 2024, RC4, who was a member of the DEI Strategic Oversight and Communication Committee (the "Committee"), announced during a Committee meeting that she would be stepping down because she believed that there had been insufficient training for current and past Pierce County employees and she felt that she had been the victim of racism and discrimination in the Clerk's Office and by "County Government." This was the first allegation by RC4 that she had experienced racism and discrimination during her time as RC4 The following day, March 22, 2024, it was revealed during a meeting between RC4 and RC4 that, according to RC4, on her fourth day of work as RC4 had told her "I don't like you because you are black." This information had never been previously reported to either RC4 or anyone else at the County. March 2024 was the first time that anyone in County HR began hearing that RC4 felt she was experiencing racism and that RC4 had told her that he did not like her because she was black. Because this information was unknown to County HR until March 2024, this allegation was not investigated during the internal investigation into RC4 conducted by Melissa Arnold in 2022. Since March 2024, RC4 has continued to complain that she has experienced racism, even commenting to RC4 that she has "experienced worse racism here in Pierce County than in Texas." Though RC4 has made repeated complaints about racism and a "hostile work environment" since March 2024, RC4 has never specified any instances of racial discrimination or animus she has faced other than the alleged comment by RC4 in December of 2021.

Multiple attempts have been made by Vicki Moll, a Labor Relations Analyst in County HR who handles internal EEO complaints, to conduct an initial intake interview with RC4 to better understand the events giving rise to her complaints. On June 3, 2024, Ms. Moll emailed RC4 the EEO Complaint Policy and Intake Form. **Exhibit C**.[3] The following day, June 4, 2024, Ms. Moll followed up with a phone call to RC4 to confirm that RC4 had received the form and did not have any questions. On the phone with Ms. Moll, RC4 became very upset and repeatedly asked, "Why now? This has been going on for 2 ½ years. Why ask now?" During that phone call RC4 proclaimed, "The bullying, the harassment, the workplace mobbing, the psychological trauma that I have been going through, so why now do you finally do something?" RC4 stated that she did not feel ready to fill out the form or talk about her allegations, but that she had 30 pages of "documented discrimination" she would eventually share when she became ready to talk about it. **Exhibit D**.[4]

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[2] September 2023 Management Coaching Contract.
[3] June 3, 2024, Email from Vicki Moll to RC4 with EEO Complaint Policy and Intake Form attached.
[4] Transcript of June 4, 2024, phone call between Vicki Moll and RC4 – recorded by Vicki Moll.

During a discussion between Ms. Moll and RC4 on June 12, 2024, regarding a staff member who had allegedly turned her back to RC4 during a meeting, the topic of filling out the EEO form and filing a formal EEO complaint came up again. In response to Ms. Moll asking RC4, "Has anyone talked to you about having a conversation with employees/union?" RC4 responded:

> Lisa did when she was here. Told me that I needed to be softer with them. What does that mean? She didn't have a response. Said I need to be more conscious about staff's mental capacity. What about me? I'm being targeted/disrespected! No one cares. To the point 1.5 years ago when an employee didn't get the position, he lunged across table at me. Someone told me to put a panic button in my office, I was afraid. Nothing was done, but he resigned 6 months later. Been ongoing so long I don't know how to appropriately handle this at the moment. Talk to people, tell you they are going to help, and you don't get the help. Go to HR, my boss> RC4, my boss's boss (BD) [Bruce Dammeier]. We've had conversations before. Not trying to … it's just hard. I'm at work right now. [crying] This is emotional for me – reliving some of these moments again. RC1

When Ms. Moll later asked, "Did you get a chance to look at the [EEO] policy and form?" RC4 responded:

> I looked at the policy. The part in my mind is to report things – that's all [*sic*] believe I've been doing – I've been reporting since I've been here. No one does anything. RC1 RC1 I'm supposed to accept it and am told I need to play nice. I don't know how to navigate, the policy says you report it and hope that this is never a race issue, but it is because people tell you things that bring it back around to that. Because I'm not the first … I've never been one to try to say that – I feel that is the easy way. I try to look at things from a different perspective. But when someone tells you that they are doing this because you are black. I can change my tone/approach, I can't change skin color.

After some back and forth, Ms. Moll stated, "I sent you the form – you don't have to fill out the form for us to determine there is enough information to go forward. So, do you

feel it's enough – is that what you want?" To which RC4 replied in relevant part, "I don't have an answer for you today." **Exhibit E**.[5]

Ms. Moll reached out to RC4 again on June 20, 2024. During this correspondence, Ms. Moll attempted to schedule an initial intake interview with RC4 for the following day, June 21, 2024. However, RC4 declined the interview stating that she would be preparing for a conference and would reach back out to Ms. Moll when she returned to the office in July. An intake interview between Ms. Moll and RC4 was never scheduled. **Exhibit F**.[6]

Ms. Moll and RC4 exchanged emails again on July 14, 2024. During that conversation, RC4 told Ms. Moll that she still wasn't ready to discuss what had happened to her yet because she "needed some time to heal from the trauma that has been thrust upon her." After four failed attempts of conducting an initial intake interview, Ms. Moll made no further contact with RC4, and the decision to hire an external investigator was made. **Exhibit G**.[7]

The most recent complaint by RC4 against a specific Clerk's Office employee was a complaint made in June 2024 that employee Melissa Jaso, a Legal Assistant 3 in the Clerk's Office, intentionally turned her back to RC4 during a staff meeting. This allegation was unfounded based upon an internal investigation by Melissa Arnold in July 2024. **Exhibit H**.[8]

As recently as August 30, 2024, RC4 stated in an email to Ms. Arnold that she believes that during her time working for Pierce County, she has been a victim of workplace mobbing and harassment. Ms. Arnold received this email from RC4 after a demand-to-bargain meeting on August 29, 2024, during which union representative John Howell made the statement that there seems to be a division amongst the staff in the Clerk's Office between those hired before and those hired after RC4 became RC4. This statement was offensive to RC4 who became emotional in a follow-up call with Ms. Arnold and RC4 during which she explained that John's comment was another example of the mistreatment she has faced, pointing her finger and instructing Ms. Arnold, "you need to do something about him!" In RC4 email recapping what had happened during the meeting, she wrote:

> This situation serves as yet another illustration of my attempts to express my concerns regarding the treatment I have been subjected to in this office. It appears that Human Resources has consistently sought to downplay the severity of these occurrences and redirect the responsibility back onto me, thereby defending the

[5] Vicki Moll's Notes from June 12, 2024, conversation with RC4.
[6] June 20, 2024, Calendar Invite Response from RC4 Declining EEO Interview.
[7] Copy of July 14, 2024, email correspondence between Vicki Moll and RC4.
[8] Melissa Jaso Investigation Closure Notice.

individuals responsible for my distress and are supportive of the workplace mobbing. This pattern is indicative of my overall experience with the Human Resources Department in Pierce County.

Exhibit I.[9] RC4 email on that day also included formal definitions of "mobbing" and "harassment" along with an internet description of "why mobbing in the workplace happens." Ms. Arnold responded to RC4 on September 4, 2024. At the conclusion of Ms. Arnold's email response to RC4, Ms. Arnold encouraged RC4 to make a formal EEO complaint if she feels she has been the victim of discrimination, mobbing, or a hostile work environment. **Exhibit J.**[10] RC4 has never lodged a formal EEO complaint or completed the EEO complaint form provided to her by Ms. Moll.

The County is unclear what specific instances of racial discrimination, harassment, and mobbing RC4 has allegedly experienced while working in the Clerk's Office. The County is also unclear why RC4 believes that the Clerk's Office is a hostile work environment. Other than the statement RC4 has alleged RC4 made to her on her fourth day of work about not liking her because she is black, RC4 has not tied any other alleged mistreatment to her race or racial animus. It is clear, based upon multiple failed attempts at an initial intake interview by Ms. Moll, and RC4 reluctance to speak to anyone in HR regarding a formal EEO complaint, that an external investigation is necessary.

C. CHRONOLOGY OF RELEVANT HISTORY

- ***December 6, 2021*** – RC4 hired as RC4. RC4 directly supervises the Chief Deputy Clerk, who directly supervises the Legal Processing Supervisor.[11] However, a vacancy of the Deputy Clerk position meant that for several months after RC4 was hired, RC4 directly supervised RC4

- ***January 25, 2022*** – RC4 sends an angry customer directly up to the Executive's office in violation of proper process and procedure.

- ***February 22, 2022*** – RC4 delivers Memorandum of Expectations ("MOE") to RC4 for "inappropriately referring a hostile member of the public to the

[9] Copy of August 30, 2024, email from RC4 to Melissa Arnold.
[10] Copy of September 4, 2024, email reply to RC4 from Melissa Arnold.
[11] RC4 was originally hired as a RC4 in the Clerk's Office on RC4. He was promoted to a RC4 on RC4 and then promoted again to RC4 on RC4 where he worked until RC4.

Executive's Office." RC4 slammed his door upon returning to his office (substantiated through investigation).[12]

- ***April 29, 2022*** – RC4 has a meeting with RC4 to communicate that he was not selected for the Deputy Clerk position. According to RC4 (and substantiated through an investigation) RC4 was stern, dominating, and intimidating when he leaned forward across the table and repeatedly said, "you need to tell me what my place is here," and asked, "what do I do now?"[13]

- ***May 3, 2022*** – During a staff meeting on May 3, 2022, RC4 alleged (*unsubstantiated* investigation conducted) that RC4 stood "unusually close" to her and "held eye contact without speaking for an uncomfortable length of time." RC4 claimed that this behavior was intimidating and made her uncomfortable.[14]

- ***May 5, 2022*** – Human Resources Labor Relations Analyst Melissa Arnold initiates investigation into complaints against RC4 by RC4.[15]

- ***May 25, 2022*** – RC4 had investigatory interview with Ms. Arnold to investigate all of the above alleged misconduct (slamming door, leaning across table at RC4 in intimidating manner, standing unusually close, and staring at RC4 without speaking).

- ***August 15, 2022*** – RC4 delivers Notice of Intent to Suspend ("NOIS") to RC4. The NOIS conveys intent for a five-day suspension for cause as a result of RC4 collective misconduct February 2022 to May 2022. (Neither the investigation into RC4 alleged misconduct nor the NOIS, which was authored by

[12] RC4 allegation that RC4 slammed his door after RC4 administered an MOE for his misconduct on January 25, 2022, when RC4 directed an angry customer to the County Executive's Office was investigated internally by Melissa Arnold May 5, 2022, to June 10, 2022. This specific allegation was substantiated. **Exhibit A**.

[13] RC4 allegation that RC4 leaned across a table towards her in an intimidating manner was investigated internally by Melissa Arnold May 5, 2022, to June 10, 2022. This specific allegation was substantiated. **Exhibit A**.

[14] RC4 allegation that during an all-staff meeting on May 23, 2022, RC4 stood uncomfortably close to her and stared at her without breaking eye contact and without speaking was investigated internally by Melissa Arnold May 5, 2022, to June 10, 2022. This specific allegation was *un*substantiated. **Exhibit A**.

[15] Melissa Arnold was hired as a Labor Relations Analyst in 2020 and was promoted to Assistant Director of Human Resources Labor and Employee Relations in October 2023.

RC4, made any mention of any racially charged statements by RC4 toward RC4.[16]

- ***October 14, 2022*** – RC4 RC4 responsible for pre-trial services) confides during a meeting with Ms. Arnold and RC4, RC4, that RC4 has made allegations of racism but directed her not to do anything about it, which made her uncomfortable as a manager and made her feel like she was opening the County up to liability.

- ***October 24, 2022*** – During a follow-up meeting between RC4, Lisa Hilligos, and Ms. Arnold, RC4 stated that RC4 had mentioned to her in March 2022 that someone in pre-trial services "seemed to treat POC differently in the jail" and that as an example, "he spoke to white people in the jail as sir or ma'am but POC by their name."[17] RC4 allegedly said that she was furious. When RC4 asked, "what do we do, do we go to HR," RC4 allegedly responded that she did not want to do anything about it and that she needed more time to think about it. RC4 stated that after that conversation, she went back to RC4 twice about it, and RC4 had repeatedly stated that she did not want to do anything about it.

- ***November 14, 2022*** – RC4 resigns from his position in the Clerk's Office. At the time RC4 resigned, he had received the NOIS and had a Loudermill hearing but had not yet served his suspension.

- ***January 2023 to January 2024*** – Throughout 2023, RC4 continues to make generalized complaints to RC4 that Clerk's Office staff are being disrespectful towards her and that she is being mistreated.[18]

- ***March 21, 2024*** – During a DEI Strategic Oversight and Communication Committee meeting RC4 stated that she has been the subject of racism during her time at Pierce County. She expressed that she feels that there has been insufficient training for current and past employees. RC4 wanted to resign from the DEI Committee. The meeting included a number of County leaders, including RC4

[16] *See* **Exhibit A** for a copy of the NOIS administered to RC4 by RC4 on August 15, 2022.
[17] Lisa Hilligoss was the Pierce County Assistant Director of Human Resources Labor and Employee Relations until her resignation in 2023.
[18] There are no specific dates for these complaints, and the County has very little and very vague knowledge regarding what RC4 experienced during the year 2023.

RC4 Jen Tetatzin (Director of Planning and Public Works), Misty Robison (District Court Administrator), Kelly Lewis (Assistant Director of HR – Talent Management), Heather Moss (Director of Human Services), and Michael Kawamura (Director of Assigned Counsel), to name a few. Following Ms. Lewis's presentation on recruitment efforts, RC4 asked something to the effect of, "What good is diversity if you can't retain people?" And made comments that she has experienced discrimination in County government.

- ***March 22, 2024*** – RC4 had a morning meeting with RC4 where RC4 revealed for the first time that RC4 had made a comment that he didn't like RC4 because she's black. This is the first time RC4 made the allegation that RC4 made the statement that he didn't like her because she was black, despite RC4 claim that this statement was made back in December 2021 on her fourth day on the job. This allegation was not made at the time it allegedly occurred. RC4 also told RC4 that she feels that people roll their eyes at her. RC4 had talked with RC4 after RC4 conversation. RC4 acknowledged that she got upset the day before at the DEI committee meeting but felt better today. She commented to RC4 that she doesn't have the right office furniture. She feels that there should be more training for staff on how to treat others respectfully. She blames the judges for some of the animus and thinks that it stems from Chris Gaddis (Superior Court Administrator) since he's married to Emma Gaddis (former Deputy Clerk; separated employee). It is resolved that RC4 and RC4 will talk to RC4 on Monday, March 25, to ask why she feels the way she does and ask for examples and as much detail as possible.

- ***March 25, 2024*** – RC4 and RC4 meet with RC4 to discuss RC4 allegations that she has suffered racial discrimination and mistreatment while working in the Clerk's Office. Due to another commitment, RC4 leaves the meeting halfway through. Neither RC4 nor RC4 learn any new or specific information about RC4 allegations of racism.

- ***April 15, 2024*** – In a conversation RC4 had with RC4, she again commented that she has experienced worse racism here in Pierce County than in Texas. She said that she still has employees get up and leave during meetings. And she is convinced that Mr. Gaddis (Administrator for Superior Court) dismisses her, tells her staff what to do, and enters non-public areas of the Clerk's Office without her permission.

- ***April 17, 2024*** – It was resolved that an investigation of RC4 complaints of racism was warranted and that Vicki Moll (the County Labor Relations Analyst responsible for handling EEO issues) could conduct the intake interview. It was agreed that RC4 will make the recommendation to RC4 that an investigation is warranted, RC4 and RC4 can tell RC4 together when they meet with her at a regularly scheduled meeting on Wednesday, April 25, and Ms. Moll will schedule the intake interview after that.

- ***April 22, 2024*** – The Pierce County Prosecuting Attorney Office ("Legal") for the second time made the recommendation that Ms. Moll conduct an intake interview of RC4. RC4 was hesitant towards a formal investigation and expressed that he preferred a "softer" approach, such as a conversation between him and RC4, where he could ask RC4 for details. It was pointed out that we already tried that when RC4 and RC4 met with RC4 on March 25. RC4 confirmed that conducting an intake interview is the standard procedure according to the County Administrative Guidelines and the Equal Employment Opportunity Commission ("EEOC"). It was ultimately determined that RC4 and RC4 would go through with their recurring weekly meeting. RC4 would then meet with County Executive Bruce Dammeier, and then afterwards Ms. Moll would complete an intake interview.

  At this point, RC4 had also expressed concerns that County Facilities had not provided the furniture that she wanted and that some of her staff were walking out during meetings.

- ***June 3, 2024*** – Ms. Moll emailed RC4 to provide her with the EEO Complaint Policy and Intake Form. Ms. Moll received no response back from RC4

- ***June 4, 2024*** – Ms. Moll made a phone call to RC4 to confirm that RC4 had received the EEO Complaint Policy and Intake Form and to answer any questions RC4 may have had. RC4 became upset and repeatedly asked Ms. Moll, "Why now? This has been going on for 2 ½ years. Why ask now?" RC4 also told Ms. Moll that RC4 had 30 pages of documented discrimination. RC4 encouraged RC4 to complete the EEO Intake Form. The form was never completed or returned to Ms. Moll.

- ***June 20, 2024*** – Ms. Moll reached out to RC4 in an attempt to schedule an initial intake interview that would take place on Friday, June 21. However, RC4 declined,

stating that she was preparing for a conference and would reach out to Ms. Moll when she returned to the office on July 1. An intake interview with Ms. Moll was never scheduled.

- ***June 21, 2024*** – County Legal made the recommendation that due to RC4 allegations that she had been complaining for 2 ½ years with no reaction and based upon RC4 frustration and distrust towards County HR, a neutral third-party investigator should be brought in to conduct an initial intake interview.

- ***Week of June 24, 2024*** – RC4 raised concerns about subordinate Melissa Jaso, who had allegedly turned her back towards RC4 during an all-staff meeting.[19]

- ***July 8, 2024*** – RC4 raised concerns about a binder where Clerk's Office employees had been collecting amusing court filings. That binder was commonly referred to amongst Clerk's Office staff as the "WTF Binder."

- ***July 14, 2024*** – In response to Ms. Moll's repeated attempts to schedule an intake interview to discuss RC4 concerns, RC4 told Ms. Moll that she couldn't talk about what had happened to her yet because she, "needed some time to heal from the trauma that has been thrust upon [her]." That same day, RC4 emailed Ms. Arnold and RC4 in County HR to formally express her concerns regarding the WTF Binder and to request that an investigation be conducted.

- ***July 22, 2024*** – During a conversation RC4 had with Melissa Arnold, RC4 started to cry while recalling the incident she had had with RC4 in April 2022.

- ***July 29, 2024*** – RC4 sent an email to Ms. Arnold and RC4 to request the status on her request that there be an investigation into the WTF Binder.[20]

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[19] RC4 complaints regarding Melissa Jaso, who had allegedly turned her back to RC4 during an all-staff meeting in June 2024, were thoroughly investigated by Melissa Arnold, County Assistant Director of Human Resources Labor and Employee Relations, in August 2024. The investigation resulted in a finding that RC4 allegation against Melissa Jaso was unsubstantiated. Melissa Arnold concluded rather that Melissa Jaso did not intentionally turn her back on RC4 during a meeting; instead, the chair Melissa Jaso was sitting in was facing away from RC4, and Melissa Jaso did not turn around in order to be facing RC4. Exhibit H.

- ***August 5, 2024*** – Assistant Director of Human Resources Labor and Employee Relations, Ms. Arnold, advised that RC4 hold an all-staff meeting to let staff know the binders were inappropriate and should be destroyed.

- ***August 8, 2024*** – Chief Deputy Clerk Tonya Moore sent Clerk's Office staff an email asking staff to sign up for a training session on Change Management. Ms. Moore followed up with a secondary email clarifying that the "training would be added as a goal [in the County's performance management and HR online system, Workday] for everyone; however, the training is only for those who would like to attend." Confused by the discrepancy between Tonya's emails, Tyler Wherry (Clerk's Office Legal Processing Supervisor) asked for clarification and specifically asked whether the "goal" would continue to display that it was incomplete in Workday for those staff members who were not going to attend. RC4 forwarded the email to RC4, and RC4 complaining that the email thread exemplifies "persistent interference from staff" and "the daily toxicity and disrespect directed not only at me but also at other members of my leadership team are unacceptable." She commented on a "hostile environment that persists in the Clerk's Office and has persisted for the past 2½ years." She complained that she has received little to no support from Human Resources, among other complaints.

- ***August 11, 2024*** – RC4 rolls out a new Clerk's Office visitor policy.

- ***August 15, 2024*** – Investigation Closure Notice is sent to Ms. Jaso providing notice that an investigation into the back-turning incident revealed that that allegation was unsubstantiated.

- ***August 29, 2024*** – During a demand-to-bargain meeting that included Teamsters 117 Union Representative John Howell, RC4, Ms. Arnold, and Tina McClain, Labor Relations Specialist, among others, the topic of the new Clerk's Office visitor policy came up. Union representative Mr. Howell wanted assurances from management that the policy would be applied evenly to all employees in the Clerk's Office. Mr. Howell indicated that there seemed to be a division amongst Clerk's Office staff between employees hired before and employees hired after RC4 became the County Clerk. RC4 provided assurance to Union Representative Mr. Howell

[20] The WTF Binder was never investigated. Instead, County Assistant Director of Human Resources, Labor and Employee Relations, Melissa Arnold, advised that RC4 hold an all-staff meeting to let staff know the binders were inappropriate and should be destroyed.

that the visitor policy would be applied evenly amongst all staff in the Clerk's Office. The meeting came to an end.

Following the demand-to-bargain meeting, RC4 immediately called RC4. During the phone call between RC4 and RC4 RC4 was emotional and frustrated over the comment Mr. Howell had made during the demand-to-bargain meeting about there being a division amongst staff in the Clerk's Office before versus after RC4 became RC4. RC4 pulled Ms. Arnold into the conversation for support. RC4 stated to Ms. Arnold and RC4 that, "John was trying to characterize me as something that I'm not." When RC4 explained that Mr. Howell was just trying to do his due diligence as a union rep when a new policy is going to be implemented, RC4 responded:

> NO, NO, NO! Not anymore. I'm not doing this anymore. I have been on the receiving end of hatred, hostility, since I got here. People are saying things, tell me what I'm doing wrong? Just tell me. Just tell me what I'm doing wrong! How am I treating people differently? If you're not going to give me the opportunity to fix whatever it is, I have, supposedly have done, how is it just okay for somebody to tell me I'm treating somebody differently but they don't want to say who it is or put it in writing?! How is it okay for you to just say it?![21]

- ***August 30, 2024*** – RC4 sends Ms. Arnold an email recapping what happened during the demand-to-bargain meeting, reiterating her frustrations over Mr. Howell's comment, including formal definitions of "harassment" and "workplace mobbing" and stating in part:

> This situation serves as yet another illustration of my attempts to express my concerns regarding the treatment I have been subjected to in this office. It appears that Human Resources has consistently sought to downplay the severity of these occurrences and redirect the responsibility back onto me, thereby defending the individuals responsible for my distress and are supportive of the workplace mobbing. This pattern is indicative of my overall experiences with the Human Resources Department in Pierce County."[22]

[21] *See* **Exhibit K** – RC4 notes from the conversation with RC4 on August 29, 2024, after the demand-to-bargain meeting.
[22] **Exhibit I**.

- ***September 4, 2024*** – Ms. Arnold responds to RC4 August 30, 2024, email. At the conclusion of Ms. Arnold's email response to RC4, Ms. Arnold encouraged RC4 to make a formal EEO complaint if she feels she has been the victim of discrimination, mobbing, or a hostile work environment.[23]

D. POTENTIAL INVESTIGATION WITNESS LIST

1) RC4 **(complainant)** RC4

2) RC4

3) RC4 s;

4) RC4

5) Vicki Moll (vicki.moll@piercecountywa.gov), Labor Relations Analyst 2;

6) RC4 and

7) Melissa Arnold (melissa.arnold@piercecountywa.gov), Assistant Director of Human Resources, Employee and Labor Relations.

E. EXHIBITS INDEX

a) **Exhibit A** – RC4 investigation file;

b) **Exhibit B** – September 2023 Management Coaching Contract;

c) **Exhibit C** – June 3, 2024, email from Vicki Moll to RC4 with EEO Complaint Policy and Intake Form attached;

[23] **Exhibit J.**

d) **Exhibit D** – Transcript of June 4, 2024, phone call between Vicki Moll and RC4, recorded by Vicki Moll;

e) **Exhibit E** – Vicki Moll's notes from June 12, 2024, conversation with RC4

f) **Exhibit F** – June 20, 2024, calendar invite response from RC4 declining EEO interview;

g) **Exhibit G** – Copy of July 14, 2024, email correspondence between Vicki Moll and RC4;

h) **Exhibit H** – Melissa Jaso Investigation Closure Notice;

i) **Exhibit I** – Copy of August 30, 2024, email from RC4 to Melissa Arnold recapping demand-to-bargain meeting;

j) **Exhibit J** – Copy of September 4, 2024, email reply from Melissa Arnold to RC4 August 30, 2024, email; and

k) **Exhibit K** – RC4 notes from conversation with RC4 on August 29, 2024, after demand-to-bargain meeting.

Sincerely,

s/ TREJA M. MIRANDA

TREJA M. MIRANDA
Deputy Prosecuting Attorney
253-798-4912
treja.miranda@piercecountywa.gov

TMM/cmw
Enclosure: Exhibits A-K – Investigation Background Materials.pdf

Brenda Bannon (00:00:01):

Okay, just very briefly, it's 1 41 in the afternoon. It's November 26th, 2024. I'm meeting remotely with RC4 , do I have your permission to record our conversation?

RC4 (00:00:17):

Yes.

Brenda Bannon (00:00:18):

Thank you. Sorry about that. So I am explaining that because we anticipate you and I that this could take more than an hour to sort of unpack. My hope is to meet with you a second time in person. And my role here, though, I am an attorney, I do not represent Pierce County. I'm not here to provide any legal advice. My role is to get the facts, evaluate the facts, and report the facts. And then I, as an independent fact finding investigator, I'm removed from any decision making that might occur once the investigation has concluded. My job is to get your side of things as the complaining witness in this allegation. Your perspective obviously is super important to me as an investigator, as I evaluate all the facts and I will have access to the Pierce County written record regarding various events that have occurred up until now.

(00:01:30):

So I want you to understand that to ensure the integrity of the investigation and everyone's privacy, I do what I can do to keep the investigation private and confidential. If anyone were to ask for any part of the investigation while it's pending, I would refer that inquiry to the legal advisor. It would be somebody else's decision, but ordinarily the investigation will stay with me as the investigator while the investigation is pending. Of course, with all witnesses, the most important thing is to be as honest and candid and forthright with me as possible. I ask every witness not to engage in any kind of communication or conduct that could be construed by others as attempting to influence or impede the investigation or to pressure folks to testify in a certain way.

(00:02:25):

I do want to remind you that I am independent. I've been hired by Pierce County, but my role is to evaluate every single witness as an independent investigator. There is, of course, at Pierce County, a strict policy against retaliation of any kind. So RC4 if at any time you felt as though you were experiencing retaliation or you're observing retaliation towards another person for their participation in this investigation, I would urge you to let me know right away. And I would report that out to RC4 as my point of contact at the county while this investigation is pending. And if you are comfortable reporting it to human resources, I would encourage you to do so. Does that make sense? Okay. If you could answer out loud, that would be helpful. Okay. Thank you. Thank you. So do you have any questions so far about my role and why we're here today?

RC4 (00:03:38):

Not at the moment.

Brenda Bannon (00:03:38):

Okay, perfect. So I do have written information as to your role and when you were hired, all of that. I tried to do my due diligence to learn about folks before I meet with them, but I would encourage you, if you're comfortable, can you tell me, first I want to say you're welcome to call me Brenda, right? To refer to me as Brenda. Are you comfortable with me referring to you as RC4 or would you rather me

use RC4 ? So are you comfortable telling me just a smidge about your onboarding process there when you came to Pierce County and how that was for you?

RC4 (00:04:36):

It was, I dunno, it wasn't what I expected coming from another state, I didn't know anyone here, so I didn't have anyone that I could really go to ask questions of. And so I was kind of went on the island by myself as a director. That was difficult coming into a space that where I had 50 plus 50, 53 employees I believe at the time, and not knowing anyone, people had been here for long periods of time, lots of tenure in the office, lots of knowledge. So it was just kind of trying to get to know everyone on my own, not feeling very welcome. There were two individuals in the office that had applied for this position also. I knew of one but not of the other, and it was okay. I was okay with that. Of course that would happen, but wasn't very well received by one and that made it hard and it just continued for the next two and a half years.

RC4 (00:06:33):

Okay, thank you.

Brenda Bannon (00:06:42):

As far as that initial onboarding when you came to Pierce County, had you come and visited before joining and accepting the role?

RC4 (00:06:56):

Yes, I came for the interview and then that was it.

Brenda Bannon (00:07:02):

Okay.

RC4 (00:07:05):

Alright.

RC4 (00:07:05):

So before the interview I was brought just kind of down to the front of the door that this is where it is, and that was all. And then we had the interview with the county executive

Brenda Bannon (00:07:29):

And how many people conducted the interview? Do you remember

RC4 (00:07:36):

The final interview or,

Brenda Bannon (00:07:38):

So were there two stages or

RC4 (00:07:42):

Three stages?

Brenda Bannon (00:07:42):
Three stages. Okay.

RC4 (00:07:46):
The first one, I think there were six individuals.

Brenda Bannon (00:07:52):
Alright.

RC4 (00:07:54):
The second one, I think there were seven.

Brenda Bannon (00:07:57):
Okay.

RC4 00:07:58):
And then the final one was just with the county executive.

Brenda Bannon (00:08:02):
Okay. RC4

RC4 (00:08:06):
No, the final one is the county executive is Bruce Dammeier.

Brenda Bannon (00:08:10):
Oh, that's right.

RC4 (00:08:13):
RC4 is my direct boss.

Brenda Bannon (00:08:15):
Thanks. Was RC4 on either the first or second stage?

RC4 (00:08:23):
He was on the second.

Brenda Bannon (00:08:24):
Okay, thank you. So I'm going to make a guess, and you can tell me if I'm wrong. I'm guessing once you got through each of the three stages, you were feeling comfortable with your treatment at that point?

RC4 (00:08:47):

Yes.

Brenda Bannon (00:08:47):

Okay. Alright. And this is kind of silly, but I asked this kind of question from time to time because I feel like it helps frame, we all have things that we wish for but we don't have any control over. There's lots of things like that in our lives. So if you were to go back in time to that interview stage and you had a magic wand, what would've improved the process for you?

Brenda Bannon (00:09:23):

That particular Just the interview process?

RC4 [redacted] (00:09:25):

Yeah,

RC4 [redacted] (00:09:29):

I mean, look back at that. I don't mean it was a similar process to what I've experienced before. Okay. So I don't, yeah, nothing. I don't think so. It's fine. Yeah.

RC4 [redacted] (00:09:55):

Okay.

Brenda Bannon (00:10:00):

So then how much time passed do you remember? This is just in broad terms, how much time passed between the interview process and you accepting the role?

RC4 [redacted] (00:10:20):

Well, the day of the interview county executive called me that afternoon and offered the position to, and if there was no official acceptance at the position for probably about a week and a half when they actually sent the offer letter and compensation package. And then I accepted the position. That was in October of 2021 and I did not start until December 6th, 2021.

Brenda Bannon (00:11:09):

So kind of in the middle of the holiday season. Okay. So bear with me with my magic wand question. So coming to Washington State in the Tacoma area in the early part of December, 2021, if you had your ability to write that story, what would've improved about that process?

RC4 [redacted] (00:11:56):

It was a good process, was a good move here

Brenda Bannon (00:12:02):

For some reason. I can't hear that part.

RC4 [redacted] (00:12:04):

I'm sorry. It was a good move here. Yeah.

Brenda Bannon (00:12:10):

So nothing about the move or just the initial onboarding at Pierce County was an issue?

RC4 [redacted] (00:12:20):

Well, I guess looking back, you could always, I would think that there was something said that kind of took me aback, but at the time I didn't understand. It

(00:12:40):

Was on the day of my confirmation. After the confirmation, we were all standing around. It was me, my husband, my son, the county executive, peer court administrator. We were all just kind of standing in the lobby space and the county executive said to me, well, hurry up. We need to hurry up and get you in front of the Black Collective. I didn't know what that was. I didn't know what the Black Collective was. And so I asked the HR director that day and I said, well, the county executive said I need to meet the Black Collective. What is that? And she said, well, don't worry about that right now. And I was like, okay, I didn't know. But looking back, I was like, why would that be the most to me? Why would that be the most important thing to me? It would've been more of a let's get you downstairs to go to your office, meet your staff, meet some of your colleagues. And when I asked to come downstairs to meet to see my office, the person that was in charge of showing me around was one of the individuals that applied for the job.

Brenda Bannon (00:14:37):

Which individual was

RC4 [redacted] (00:14:38):

It? RC4 [redacted].

Brenda Bannon (00:14:41):

Okay.

RC4 [redacted] (00:14:49):

That was uncomfortable. And then to know during the time of introductions, walking around the office, some of the staff members said, oh, we didn't know you were coming today.

Brenda Bannon (00:15:17):

Okay.

RC4 [redacted] (00:15:19):

So that was a little uncomfortable. And then I was told, oh, well we found out about you when your press release was done.

RC4 [redacted] 00:15:32):

Oh, alright.

RC4 [redacted] (00:15:39):

And then coming into the office space, that was going to be my office. It was very dirty. There was an old refrigerator in the office, in my office, and I didn't quite understand that. And I opened it up and it was old molded food in it. You try to not think the worst, but you think too that there could have been a little bit more preparation, but I just kind of talked it up, said, well, that's not why I'm here. I'm here to do a job. So you keep trying to move forward. Yeah.

Brenda Bannon (00:16:37):

Alright, thank you. And RC4 , did you know at the time that she had applied for your position or you learned that later?

RC4 (00:16:53):

I learned that I learned that she had applied for the position after I accepted.

Brenda Bannon (00:17:02):

Okay. So when you met with her, you knew that was one of those two people that had applied when she was showing you a round?

RC4 (00:17:14):

Yes.

RC4 (00:17:14):

Okay.

Brenda Bannon (00:17:15):

Got it. All right. Okay. And when you got to your office and you were seeing we, did you ask someone to clean it up and clean out the fridge and stuff like that? Or what did you do

RC4 (00:17:35):

That day? I didn't do anything when I started on, because I think that was November the 29th, I wasn't supposed to start until the next week. So when I started on the sixth when I got in, I asked for cleaning supplies and asked if they could move the refrigerator out of the office. I guess it stayed there for probably about another three months.

Brenda Bannon (00:18:12):

Oh, that long?

RC4 00:18:13):

Yeah.

Brenda Bannon (00:18:14):

Okay. Okay. And what about the cleaning? Tell me about what happened there.

RC4 (00:18:27):

I just cleaned my office.

Brenda Bannon (00:18:28):
Okay.

RC4 (00:18:32):
Alright.

Brenda Bannon (00:18:41):
So the second person who also applied for your position, was that RC4

RC4 (00:18:47):
Yes.

Brenda Bannon (00:18:47):
Okay.

RC4 (00:18:52):
Alright.

Brenda Bannon (00:19:01):
Now I understand I, because like I told you, I'm trying to do my homework and learn a little bit about this. Right. So I understand from some of the documents I've read that you've indicated that RC4 made some statements to you early on about not wanting to be helpful, et cetera. Is that true?

RC4 (00:19:26):
That is true.

Brenda Bannon (00:19:27):
Okay. So because I want to hear it just from your own words rather than maybe how it's been recounted elsewhere, is it okay for me to just ask you about that piece? Yes. Okay. Okay. So I'm just going to open that door for you.

RC4 (00:19:51):
When I started, the day I started, he was not here. He was not at work. It was a few days after that and I made a point to go to his office and introduce myself. I didn't know he had applied for the job. He told me that day that he applied for the job and didn't get it and was very upset and told me he was very upset because he had planned, that was the plan that when Kevin left, he was going to assume this position, but he didn't make it. Past the phone interviews, I was kind of taken aback because I wasn't aware that he had applied for the position. I was only told about RC4. And when he told me, he said, so I guess that the county decided to go into a different direction.

(00:21:25):
And I said, meaning what? And he's like, well, you're black. And I was like, I said, well, I'm just going to take that as I'm from Texas. And I got up and I walked out of the office because at that point in time, I knew where I stood with him who was just not nice. And it didn't matter what I did, trying to continue to

include him in our meetings and conversations. He wasn't receptive. And so I'm like, I just don't know what to do, how to reach him. And I think that was kind of the beginning of just reached out to human resources for help.

Brenda Bannon (00:22:56):

Okay. So that first day, if we could just pause there for a second, with RC4 , he said, you're black, right? And your response was, I'll take that as I'm fantastic. Is that what I heard?

RC4 (00:23:15):

No, I said from Texas.

Brenda Bannon (00:23:16):

Oh, from Texas, okay.

RC4 (00:23:22):

Just trying to get out of the awkward situation because from his demeanor, he was not happy and it was evident. And because that was my first interaction with

RC4 (00:23:52):

Him,

RC4 (00:23:54):

I wanted to just remove myself.

Brenda Bannon (00:24:00):

Sure. So you said I'm from Texas and then you just left?

RC4 (00:24:06):

Yeah, I just left. Yeah.

Brenda Bannon (00:24:08):

Okay. Got it. All right. And then you kind of moved from there to just reiterate, which I believe you've said before to others that Ms, excuse me, your observations were that in the aftermath of your starting your role, RC4 was not engaged in meetings and not communicative. Is that true?

RC4 (00:24:32):

That is true.

Brenda Bannon (00:24:33):

Okay.

RC4 (00:24:37):

All right.

Brenda Bannon (00:24:51):

So this is a very broad question, so bear with me please. I want to ask you this. Is there any other example that is so blatant, like what you just relayed that RC4 hadn't said to you that has been said to you between that point in time and today by any other person?

RC4 (00:25:22):

Yes.

Brenda Bannon (00:25:22):

Okay. Can you tell me who and what was said?

RC4 (00:25:30):

It was RC4, when she's the one that told me that said they don't want to help you because you're black.

Brenda Bannon (00:25:49):

And that's referring to your staff.

RC4 (00:25:53):

That was referring to a staff member that left to go and work in a different department. And he was asked two times to come back and help. And both times he said no. He said no, that he didn't think it was appropriate for him to come and tell. And that's when he worked in district court. And then when we went to Superior Court, his boss said no, he wouldn't let him come down and help because his wife used to work in office. And when I talked to, and at the time when RC4 said what she said to me, I didn't know that they had gone to him the second time to ask him that question. And that's when she told him that he's not going to help you because you're black. And then I was told by RC4 that they had asked the Supreme Court administrator to have his fiscal manager come down and help. And the court administrator said no, because his wife used to work here. And I was like, you all work for the county. You should want to help a division that needs help, especially if your staff member can. But no one helped.

(00:27:42):

But that's

RC4 00:27:45):

When RC4 said what she said.

Brenda Bannon (00:27:47):

Okay. Thank you. The name of the male who said that was asked two times to come back and help, what was his name?

RC4 (00:28:01):

RC4 .

Brenda Bannon (00:28:04):

Okay. And his wife's name?

RC4 (00:28:09):
No, no, it's not his wife. He was, RC4 was the fiscal services manager. And the individual that RC4 reported to was the Superior court administrator.

Brenda Bannon (00:28:26):
Got it.

RC4 (00:28:28):
And that is Chris Gaddis. Okay. And his wife used to work in this office. I promoted her to be my chief deputy clerk, but then she resigned and he didn't allow him to come down and help me.

Brenda Bannon (00:28:49):
Okay.

RC4 (00:28:52):
I did not hear that from him. That was communicated to me by RC4, because RC4 was the one that went to ask him.

Brenda Bannon (00:29:01):
Okay. And just in broad terms, what was the help that was being requested?

RC4 (00:29:11):
It was help with the financials and the bank reconciliation.

RC4 (00:29:25):
Okay. Okay.

Brenda Bannon (00:29:39):
Is there a third example of something as blatant as those two examples?

RC4 (00:30:00):
I,

Constance White (00:30:08):
To me, yes. To others, maybe not.

Brenda Bannon (00:30:12):
Well, this is what's important to you. Absolutely.

RC4 (00:30:32):

During the high profile file, there were times when individuals would come to me inquiring how to deal with the black community. It's not my job. Before the verdict was made, I was asked if I thought the county should allow all of the black people to be off that day so they could deal with whatever was going to come.

RC4 [redacted] (00:31:48):
Okay. Who asked you that?

RC4 [redacted] (00:31:56):
Vi Libby, she's the director of communications. She's the director of Communications. Vicky? Libby.

Brenda Bannon (00:32:06):
Libby. Okay. What did you respond, and when you were asked that question?

RC4 [redacted] 00:32:21):
I just kind of stood there for a second and I said, you know that this verdict, whatever it is, is going to affect more than just black people. And I said, but I don't have an answer for you, so I'll have to get back to who I'm at. And I walked away. I never got back with her because it wasn't something that I needed to respond to.

RC4 [redacted] (00:33:05):
Okay.

Brenda Bannon (00:33:09):
Did you ever circle back after that to talk to Libby?

RC4 [redacted] (00:33:14):
No, I didn't.

Brenda Bannon (00:33:15):
Okay. Not to suggest you should have, I'm just asking. Yeah,

RC4 [redacted] (00:33:21):
I just, no, it was, no.

Brenda Bannon (00:33:28):
Okay. And when you refer to the high profile trial, are you talking about the police case that someone died?

RC4 [redacted] (00:33:41):
Yes.

Brenda Bannon (00:33:41):

Okay.

RC4 (00:33:42):
Yes.

Brenda Bannon (00:33:42):
I can't remember the name off the top of my head.

RC4 (00:33:45):
Yeah.

Brenda Bannon (00:33:46):
Okay.

RC4 (00:33:57):
Alright.

Brenda Bannon (00:34:03):
So RC4 made the statement, he made, the RC4 relayed an observation regarding other people not coming to help, and then Libby, the communications director, inquired of you what you just described.

RC4 (00:34:25):
Yes. Yes.

Brenda Bannon (00:34:32):
So is there another, I'm going to just because we use numbers in our world, say, is there a fourth example of offense, something that was offending to you related to your allegation that you can share with me today? RC4

RC4 (00:35:06):
I don't know. I'm trying to think.

Brenda Bannon (00:35:11):
Take your time.

RC4 (00:35:32):
It was a conversation that I had with RC4 and he asked me if I had met someone by the name of Treja and I didn't know who she was talking about. And she said, well, she's new with the county, she's black. I don't understand. I didn't understand that. And I'm just like, I don't know who you're talking about. And so she told me who she was and I said, no, I have not met her. There would be really no reason for our paths to cross. And then that was kind of the end of it. It was during a check-in meeting our regular monthly meeting that I would have with RC4

Brenda Bannon (00:36:44):
Are we talking RC4 ?

RC4 (00:36:46):
Yes.

Brenda Bannon (00:36:46):
Okay. So during a monthly check-in, this question was asked, and what was the name of the person?

RC4 (00:36:55):
Treja.

Brenda Bannon (00:36:57):
Treja.

RC4 (00:36:59):
It's Treja. T-R-E-J-A.

Brenda Bannon (00:37:02):
Oh, got

RC4 (00:37:02):
It. Didn't understand that. And I had a meeting with the county executive and my boss, RC4, in August, and they asked me the same question,

Brenda Bannon (00:37:30):
If you had met Treja?

RC4 (00:37:32):
Yes.

Brenda Bannon (00:37:32):
Oh, okay.

RC4 (00:37:36):
I have just kind of like, and the county executive's like, what is it? And I said, I said nothing. I said, I've heard the name, I've heard the name before. And he was like, oh. And I says, yeah, RC4 mentioned it to me and told me that she's black and he kind of put his head down. And so that's when he said that they had, I guess she had reviewed my intake information

(00:38:27):
With my intake with Vicky Moll. And then he asked me if I would be willing to talk to her based on an investigation. And I said, so now you want to do something? So a black attorney comes in, reads what? I say, that all the other white attorneys in this county saw no problem with what I've been going through.

But then a black attorney comes in and she's here to say, all the black people is very demeaning and very dismissive of what I've been saying for two and a half years. And I told him, I said, I believe that she would not appreciate the characterization of her. I said, to this day, I don't even know her last name. I said, I said, you're dismissing her education, her knowledge because you want me to meet her because she's black and I just it.

Brenda Bannon (00:40:17):

So as you sit here in this very moment, what are the three words that come to mind to describe how you felt in that

RC4 (00:40:28):

Moment?

RC4 (00:40:49):

I felt unsupported.

Brenda Bannon (00:40:53):

Okay.

RC4 (00:40:54):

Felt not protected.

Brenda Bannon (00:40:57):

Okay.

RC4 (00:41:02):

Vulnerable.

Brenda Bannon (00:41:03):

Okay.

RC4 (00:41:06):

Disrespected.

Brenda Bannon (00:41:08):

Okay. Got it.

Brenda Bannon (00:41:16):

All right. Thank you. RC4, I, do you have some water there or some tissues that might help?

RC4 (00:41:29):

Yeah.

Brenda Bannon (00:41:30):

Okay. Take your time. It is 2 23. She stepped away for some tissue and water. So I'm going to guess that the meeting with the county executive and RC4 regarding the attorney Treja happened more recently in the last couple of months. Is that true?

RC4 (00:42:19):

August the 13th.

Brenda Bannon (00:42:21):

August the 13th. Okay. Thank you. And then I'm guessing that that similar conversation with RC4 maybe happened the month before that. Is that a fair guess?

RC4 (00:42:40):

Oh, with tr yes. The month before.

Brenda Bannon (00:42:43):

So maybe July, sometime in July, is that right?

RC4 (00:42:52):

Yes.

RC4 (00:42:58):

That meeting have been,

Brenda Bannon (00:43:06):

Are you looking at your calendar?

RC4 (00:43:09):

Yes, ma'am.

Brenda Bannon (00:43:09):

Okay.

RC4 (00:43:49):

I'm not sure it was in July.

Brenda Bannon (00:43:52):

That's fine. No problem. So thank you for that. So I want to only touch very superficially. I want to intentionally only address it from a really high level. It's just too much to get into all at once. So by talking to you about it at a very high level, I don't want to suggest to you in any way that I don't think it's important because I do. But what I want to do is just briefly move to the concept that you've introduced as a part of your experience. I understand that you've expressed that with regard to generally speaking, your experience in the workplace has, from your perspective, felt like the word is mobbing. Is that

correct? Okay. So you're nodding. So I'm, I'm going to ask a big question related to that to try to get underneath it a little bit. And I know it won't be satisfactory to you. So I just say all of these words to tell you that I know that my efforts are not great, but this is challenging stuff. So in the time that you've been in your role, have any of your staff, let's take RC4 out of the equation for now. Okay. Have any of your staff besides RC4 said anything to you related to your race or nationality or color using a swear word?

RC4 (00:46:02):

No.

Brenda Bannon (00:46:04):

Okay. And has anybody connected to your race or your color or your nationality in your staff made any jokes to you about any of those aspects or characteristics?

RC4 (00:46:26):

No.

Brenda Bannon (00:46:31):

And has any of your staff, for example, posted any images or statements or narratives that you are aware of that have come to your attention, connected to any of those characteristics?

RC4 (00:46:53):

No.

Brenda Bannon (00:46:53):

Okay. And you have provided to me, and thank you for that, RC4, you have provided to me some concrete examples where those characteristics, to the extent that the word black, for example, has been brought to your attention. So connected to that term or a term related to that, has there been any other statements by any of your staff that have been disparaging, derogatory, snide, sarcastic, that you're aware of?

RC4 (00:48:05):

That's it. Not that I can think of.

Brenda Bannon (00:48:09):

Okay.

RC4 (00:48:10):

I don't. Okay. Thanks.

Brenda Bannon (00:48:27):

All right. And again, connected to the mobbing statement. The mobbing circumstance, do you have a perspective, RC4 that there is one or two people that sort of, I'm just going to say it in a sort of

casual way. Okay. Do you have a perspective that there's one or two people that are sort of leading the charge, so to speak, with regard to mobbing?

RC4 (00:49:01):
Yes.

Brenda Bannon (00:49:02):
Okay. And who would that be?

RC4 (00:49:11):
One would be RC4, Kevin Stock, he was the previous clerk here. There's several people, Amanda Perez

RC4 (00:49:39):
As part of this

RC4 (00:50:01):
Looking for. I don't actually know how to answer because there's been people still within my office

RC4 (00:50:20):
That have been a part of this and I don't,

RC4 (00:50:30):
That I have gone to human resources about. Okay.

Brenda Bannon (00:50:51):
Okay. So I'm going to shift for just a bit and then we're going to wrap up. I promised you I would try to wrap up at about two 40, so that's what I'm going to aim for. Are there people that you can list maybe three or four people within Pierce County government or your office or both that you consider respectful, supportive, consistent in your corner?

RC4 (00:51:48):
I think there's people that are in my care that are supportive. I

Brenda Bannon (00:52:00):
Are you able to share the names with me? That would be helpful.

RC4 (00:52:13):
One with the Jody Ferguson.

Brenda Bannon (00:52:19):
Ferguson

RC4 [redacted] (00:52:21):
Ferguson, Diane Clarkson.

RC4 [redacted] (00:52:28):
Okay.

Brenda Bannon (00:52:46):
And these are people that work here or don't work here or just in Pierce County? I don't

Brenda Bannon (00:52:52):
Are employed by Pierce County Government.

RC4 [redacted] (00:52:57):
Either one of those two are anymore. They're retired.

Brenda Bannon (00:53:00):
Oh, they're now retired. Okay, that's fine. But they had been,

RC4 [redacted] (00:53:04):
Yes.

Brenda Bannon (00:53:09):
Anybody else that comes to mind?

RC4 [redacted] (00:53:25):
Kelvin Brown,

Brenda Bannon (00:53:26):
Kelvin,

RC4 [redacted] (00:53:28):
Kelvin, K-E-L-V-I-N. Thank you. Brown.

RC4 [redacted] (00:53:31):
Alright. It, I'd have to

RC4 [redacted] (00:53:46):
Think about, I don't,

Brenda Bannon (00:53:47):
That's fine. Sure. No, that's okay. And if you don't want to answer this question, I get it. Don't feel like you need to, but I'm curious, are you feeling supported by your current boss?

RC4 (00:54:13):
I'd rather not answer that question.

Brenda Bannon (00:54:14):
You don't have to. Yeah. Okay. Same question, but again, if you're not comfortable answering it, feel free to let me know. RC4, are you feeling supported

RC4 (00:54:31):
By RC4?

Brenda Bannon (00:54:32):
Yeah.

RC4 (00:54:34):
RC4

RC4 (00:54:35):
RC4.

Brenda Bannon (00:54:44):
And then I think let's wind up with this question and we can chitchat a bit if you want to. We need to schedule the next meeting, but I think I understand the answer to this question, but I want to not assume. So if I move back, I know we took RC4 out of the picture for now not to talk about him. So let's put him back in the picture for a second. And if we move back to the very beginning, and RC4 made that statement too, that the county went in a different direction, and I'm sort of gleaning from what you said, there may have been maybe a tone in that conversation. You're nodding. So yeah. Okay. What would be the reason, and again, I can sort of assume, but I'm just going to hear it from your own mouth. What would be the reason for not sort of bringing that forward at that point to the folks that had just hired you and letting them know, Hey, by the way, you'll never guess what I just encountered. I did.

RC4 (00:55:49):
I did

Brenda Bannon (00:55:50):
On the day.

RC4 (00:55:52):
I think it was that next week.

Brenda Bannon (00:55:55):
Okay. Who'd you talk to?

RC4 (00:55:57):

RC4 .

Brenda Bannon (00:55:59):
Okay. Did you pop into her office or tell me about that.

RC4 (00:56:06):
She called to check in on me via teams. That's how we communicated.

RC4 (00:56:13):
Okay. Hang on.

Brenda Bannon (00:56:21):
And what's your best memory of you told her?

RC4 (00:56:25):
I told her exactly what I just told you.

Brenda Bannon (00:56:27):
Okay. And what was the response?

RC4 (00:56:33):
None. No response.

Brenda Bannon (00:56:39):
So you told her that RC4 had said I was supposed to be the chosen next county clerk? That was the plan. It looks like the county went in a different direction and there was some chitchat between you and he said, well, you're black.

RC4 (00:56:55):
Yes.

Brenda Bannon (00:56:56):
Okay.

RC4 (00:57:00):
And that was a conversation that was had several times with her, among other things that happened with him when he was here.

RC4 (00:57:19):
Okay.

Brenda Bannon (00:57:26):

So connected to that. Before we finish, did you bring that up when one of the county workplace labor relations or labor investigators chatted with you?

RC4 (00:57:49):

If that's her role? Vicky, I don't know if that's her role. Vicky, I don't know if that's who you're referring to.

Brenda Bannon (00:57:57):

Okay. So

RC4 (00:57:58):

Yes, that was a part of the conversation that I had with her probably in June of this year. That was the first time that I'd ever spoken to someone

(00:58:14):

For EEO, and I'm not sure how that came about. Well, I do know how that came about. I had a conversation in a meeting and I had a breakdown and I was put on the strategic oversight and coordinating committee for DEI for the county, the only person of color. And I said I was willing to remove myself from this group because I had been on it for two years and we were still talking about the same things. Nothing had changed and I just felt it wasn't a good use of my time anymore. And I said some things during that meeting, and then that's when I got an email from Vicki Moll, and then she called me that next day. But that wasn't the first time that I had said this to a group of people and how I was feeling and that I didn't feel protected here.

Brenda Bannon (01:00:09):

Okay, let's stop there then. Thank you. So I'm going to invite you in a way that I invite every witness, no matter what their role is, if you're comfortable, I find it super helpful to see people's notes and their thoughts and their emails and if there's texts on the subject that we're talking about. So I'm going to ask my practice assistant, her name is Kristen, just to send you over a share file link and anything that you're comfortable letting me see and entrusting me to look at if you could deposit it into that link. And that would help me fill in the blanks of different things that are going to be told to me over time. And also putting in a really great context for what you've been sharing with me so far this afternoon. And again, only tell me what you're comfortable with and only send over to me what you're comfortable with.

(01:01:20):

And you don't have to send me anything, but Kristen will send you a link. And the link in most situations makes it easy just to throw things into it so there's no password or anything. And then we can access it easily. And then we try to put together just a general timeline of events that just helps lay everything out. So that's kind of our effort. So you'll have Thursday, Friday off, is that right? Okay. So I don't know, maybe Fridays are a good time for me to come over there and meet with you in person. What do you think a week from Friday, then you have the weekend after I

RC4 (01:02:30):

About the sixth?

Brenda Bannon (01:02:32):

Yeah.

RC4 (01:02:38):
I don't know. That's my husband's. I've got things scheduled for, my husband's his birthday. Oh shoot. So I don't want to be doing this, but if not the sixth, then can you give me a different date and I can,

Brenda Bannon (01:02:59):
What about the following? Monday on the ninth?

RC4 (01:03:10):
The ninth is better.

Brenda Bannon (01:03:11):
Okay. How about if I drive to Tacoma and meet you on the ninth?

RC4 (01:03:16):
Okay.

Brenda Bannon (01:03:18):
Okay. So is there a place where you would feel comfortable above all other places? Meeting with me where you would feel like it was private and you could chill?

RC4 (01:03:30):
I think that think it's been scheduled to meet where our finance department is.

Brenda Bannon (01:03:44):
Is that okay with you?

RC4 (01:03:46):
Yeah, that's fine.

Brenda Bannon (01:03:47):
Okay.

RC4 (01:03:48):
So as meetings will be, RC4 said those meetings will be coordinated through Paula.

Brenda Bannon (01:03:54):
Okay. Are you comfortable with that?

RC4 (01:03:56):
Yes, I am.

Brenda Bannon (01:03:58):

Okay, cool. And I'm guessing you would prefer it to be towards the end of the day, then you could just leave after. Does that make sense?

RC4 [redacted] (01:04:07):

Yes. Yes.

Brenda Bannon (01:04:09):

So your workday is your hybrid, right? Is Monday one of your in? You're not. Okay, so I'm then guessing it's eight to four. Is your workday or?

RC4 [redacted] (01:04:21):

Yeah, usually. I mean, I'm usually in by seven. So the building is, everybody leaves at four 30.

Brenda Bannon (01:04:31):

Okay. Why don't we plan on meeting at one 30 and that gives us a little extra time. And if we don't need it, we don't need it. Does that make sense? Okay.

RC4 [redacted] (01:05:04):

Yes.

Brenda Bannon (01:05:08):

So RC4 [redacted], I really appreciated you meeting with me today. Obviously not your favorite thing to do, but I appreciate you and I appreciate that you met with me. Anything you need from me at this point?

RC4 [redacted] (01:05:28):

Nope.

Brenda Bannon (01:05:29):

Okay. Nothing. So I, from the bottom of my heart, wish you a good Thanksgiving with family. Hope you can just digest all of that and eat it all up, figuratively and literally. And yeah, so then you and I will meet a week from Monday. Okay? Thank you. Take care. You too. Bye-bye. It is 2 47. We're off the record.

Brenda Bannon (00:00:02):

All right, so we're on the record. According to the computer, it's 1:03 PM and it's January 13th, 2025. My name is Brenda Bannon. I'm with the law firm of Ogletree Deakins. I'm meeting remotely with RC4 with Pierce County. RC4, do I have your permission to record our conversation?

RC4 (00:00:21):

Yes, and actually my legal name now is RC4, but I still work at the county under RC4.

Brenda Bannon (00:00:27):

Okay. Is that RC4 or?

RC4 (00:00:30):

Yes. RC4.

Brenda Bannon (00:00:32):

Thank you. Alright, so we are meeting today remotely. So I'm in a private workspace with nobody else present. Are you also in a private workspace with no other person present?

RC4 (00:00:47):

Yes.

Brenda Bannon (00:00:48):

Thank you. So I have been asked by the Pierce County, well Pierce County as a whole Pierce County prosecutor's office to serve as an independent fact finding investigator to look into allegations, plural, that cover a period of time since end of 2021 and possibly to current. And you understand that I'm here to investigate allegations made by RC4. Is that correct?

RC4 (00:01:25):

Yes.

Brenda Bannon (00:01:26):

Okay. And it's my understanding that the allegations as a whole can be summarized as allegations of multiple persons' workplace misconduct, allegations of race or skin color discrimination, hostile work environment types of allegations, and potentially other policy violations. But as a whole, that probably covers the broad swath of ground that we'll be talking about today. Is that your understanding as well?

RC4 (00:01:58):

Yes.

Brenda Bannon (00:01:58):

Okay. Thank you so much. And there has been work already done before I was hired. So this is an unusual case in some respects and as an investigation that a lot of work has been done before I got involved and I'm going to do my best to be efficient with everybody's time and not sort of go over what's already been done. But on the other hand, it's important because of my role as an outside investigator

to be fair and impartial, objective to duplicate some of that work in some regards. So please bear with me as I sort of tread the line with regard to those issues. Any questions so far?

RC4 (00:02:40):
No.

Brenda Bannon (00:02:41):
Okay. Thank you so much. So please do your best to answer as truthfully as possible. Of course, it's important for you to be as candid and open with me as possible. It's also important for every witness, including yourself to do what you can to not try to influence or impact other potential witnesses, information and testimony that they might provide here, interview information that they might provide in this investigation. And of course, you also know that the county has a policy prohibiting any kind of retaliation for participating in this investigation. So you are protected by that same policy. And of course all other witnesses are protected by that same policy. I would encourage you, RC4, and what would you like me to call you? RC4

RC4 (00:03:37):
RC4 is fine.

Brenda Bannon (00:03:38):
Okay. And feel free to call me Brenda, if you have any reason to think that you are being retaliated against RC4 I would prefer that you talk to somebody at the county first to alert and whoever you think under your policy makes the most sense. You're very, I'm sure at this point in your career, familiar with your policy, but I also like to know if there's something going on there that it feels retaliatory from your chair. So please do. Any questions so far?

RC4 (00:04:12):
Nope.

Brenda Bannon (00:04:13):
Okay. So I understand that you have had broad interactions with the complaining witness, and I'm just going to, just for sake of, I think keeping things a little bit formal, keep referring to RC4 as the complaining witness or RC4. So that's who I'll be referring to. And is it true over the course of her time as RC4 that you've had broad and repeated interactions with RC4?

RC4 (00:04:57):
Yes.

Brenda Bannon (00:04:57):
Okay. So I think it might be helpful if we just lay just a little bit of groundwork. Of course I can look at your LinkedIn bio, but just go ahead and tell me when you started with Pierce County and sort of where you've gone through your career. At a very high level,

RC4 (00:05:15):

I started at Pierce County, I want to say May of 2018 as the RC4. And that's the only role I've held since I've been there.

Brenda Bannon (00:05:25):

Alright. And then how many people report to you?

RC4 (00:05:31):

Initially it was 25. I think it's up to 32 now.

Brenda Bannon (00:05:37):

Okay. And prior to working for Pierce County, what were the last two employments that you had before that?

RC4 (00:05:47):

Kinder Morgan, which is an oil and gas company, HR director. And before that I think it was to, no OSG, tap and Die.

Brenda Bannon (00:06:02):

Tap

RC4 (00:06:02):

And Die manufacturer.

Brenda Bannon (00:06:06):

Alright. Also hr?

RC4 (00:06:09):

Yes.

Brenda Bannon (00:06:09):

Okay. And your a college degree?

RC4 (00:06:14):

I've got a bachelor's in business. I've got a Master's in adult education and I've got my JD.

Brenda Bannon (00:06:21):

Okay. Where'd you get your JD from?

RC4 (00:06:25):

Chicago, Kent.

Brenda Bannon (00:06:26):

Nice. All right. And did I hear that you're getting ready to retire or are you going somewhere else?

RC4 (00:06:37):
I'm retiring. I was supposed to retire actively working the end of January and the new executive asked me to stay on until a replacement could be hired, but I'm actually working out of Kentucky right now because where my new house is.

Brenda Bannon (00:06:50):
Okay. Alright. Well congratulations on all of that and I hope it goes well for you.

RC4 (00:06:54):
Thank you.

Brenda Bannon (00:06:55):
Of course. So go ahead. If you could indulge me, RC4 go ahead and tell me from a high level, what are some of the routine reasons why you would have contacts or meetings with the complaining party, since the time of her hire,

RC4 (00:07:16):
I have generally regular meetings with all directors. Some of them are quarterly, some of them are every six months, some of them are monthly. The interval just depends upon what's going on and both their interest as well as mine. So with her it was every two weeks that she and I had a meeting that we said initially with the understanding that if any time it made sense to make the distance between meetings longer, we would do that. I think we've stayed with every other week, although if I'm on vacation or she's on vacation or something else is going on, then we just cancel it. We don't reschedule it. Okay.

Brenda Bannon (00:08:09):
Was there a time that you were meeting regularly with the complaining party and RC4 together?

RC4 (00:08:19):
Yes. I don't know, maybe the last year we would meet. It was scheduled for every other Wednesday, but again, it didn't always occur that frequently. RC4 indicated that she had raised concerns with him and rather than him then conveying them to me and kind of going around in a circle, he thought it would be best if we all sat in the room together and worked through them until we had satisfaction that everything was going well.

Brenda Bannon (00:08:57):
Okay. At some point did you stop being involved in those meetings?

RC4 (00:09:04):
Only at the end of the year when I moved.

Brenda Bannon (00:09:07):
Okay, so it was approximately every other Wednesday until December of 24?

RC4 (00:09:15):

Yes.

Brenda Bannon (00:09:16):
Okay. I think you said Kentucky. Did I hear that right?

RC4 (00:09:25):
Yes.

Brenda Bannon (00:09:25):
Okay. I was going to write it down and I thought, oh, is that what you said? Okay.

RC4 Yeah, that's what I said.

Bannon Alright. So was there a period of time where you sort of stepped back from having those every other Wednesday meetings?

RC4 (00:09:42):
No.

Brenda Bannon (00:09:42):
Okay. Alright. And when did those every other Wednesday meetings actually start to your recollection?

RC4 (00:09:51):
I think about a year ago.

Brenda Bannon (00:09:53):
Okay.

RC4 (00:09:58):
So early 24 at the top of my head.

Brenda Bannon (00:10:00):
And do you recall the incident or incidents or just the reason why those meetings started?

RC4 (00:10:11):
As I indicated RC4 wanted to have those joint meetings,

Brenda Bannon (00:10:17):
Did he explain why? Besides concerns? Besides concerns,

RC4 (00:10:22):
I don't remember a specific incident triggering it. Okay.

Brenda Bannon (00:10:28):

Alright. So I don't think it matters whether I cover more recent information first or if we do this chronologically. So I'm kind of interested in hearing about some of the more recent stuff first and then I'm going to go back if that's okay with you. Unless you feel like that'll make things choppy from the perspective of you as a witness, it'll be more difficult for you. I want it to be easy for you.

RC4 (00:10:59):

Yeah. Well, and it all feels like it was a long time ago.

Brenda Bannon (00:11:02):

Okay, fair enough. So every Wednesday meetings with RC4 and RC4 for most of 2024

RC4 (00:11:16):

Every other Wednesday and probably **ended up in reality being once a month** because there would be something that would cause the one to be canceled. So it sometimes conflicted with the executive cabinet meetings or like I said, she was on vacation. I was on vacation. He was on vacation.

Brenda Bannon (00:11:36):

Okay. So did you do anything to prepare for your meeting? Sometimes people put together bullets or something, they want to make sure that they remember things. No. Okay. So could you tell me at a high level what you remember from early 24 to now that was a subject matter of conversations between you and RC4 and RC4 In those three by three meetings,

RC4 (00:12:04):

It would vary between topics that he would bring forward, which were typically things that she had had concerns about before to see if they'd been resolved. So things like managing the staff. So if you come from an environment where you have more ability to autonomously make decisions about staff and don't have to live with an administrative guidelines and those kinds of things, why can't I make her do her job or those kinds of things. And then other things would be rats. So they have a problem with rats in the space, records in the space,

Brenda Bannon (00:13:00):

Literally rodents in the records?

RC4 (00:13:05):

The previous clerk had not had a priority of getting rid of old documents. And so I want to think there were hundreds of boxes of stuff they were trying to get rid of, which also was a really nice home for rodents.

Brenda Bannon (00:13:23):

Where were they stored

RC4 (00:13:26):

In one of the rooms in the clerk's office.

Brenda Bannon (00:13:29):

Just on the first floor of the Pierce County Courthouse?

RC4 (00:13:36):

Yes.

Brenda Bannon (00:13:37):

Oh, okay.

RC4 (00:13:39):

And she said that some employees would keep their food in there. They had lockers and they would keep food in their lockers and then there would be angst when she wanted to get rid of the lockers so that she could get rid of the rats. So talking through those issues, talking through staffing and location, she had some staff that was in a different building where it was compromised by water damage and she needed to move them into her space, which caused her to get rid of. The first impact was to get rid of what is normally their break room so that she could put them in a space. And then after that work of trying to create another break space for them and some of the unhappiness that came with that where employees were upset that their break area had been moved and changed and those kinds of things. So it just varied between logistical space things and people and behavior.

Brenda Bannon (00:14:57):

So you sort of alluded to something that I wanted to circle back on. You referenced coming from an environment where a person had more workplace autonomy. Please tell me what you're referring to.

RC4 (00:15:16):

So there are a lot of steps in Pierce County in the administrative guidelines in order to discipline or take action against someone. And it could be time consuming, reach out to HR to that employee of labor relations group. They have other things they're doing and they investigate witnesses. Very much the same kind of process you're doing here and it can take a while and the end result can be, oh, we need to just give them a verbal warning or a memorandum of expectation. And sometimes it feels very slow.

Brenda Bannon (00:16:00):

Okay. And so should I fill in the gaps of what you're saying by suggesting that for a new county clerk this was frustrating?

RC4 (00:16:15):

Yeah.

Brenda Bannon (00:16:17):

Did you witness that?

RC4 (00:16:19):

Yeah, and I experienced it myself when I came.

Brenda Bannon (00:16:22):

It

RC4 (00:16:22):

Takes forever to do anything.

Brenda Bannon (00:16:28):

And how was the frustration expressed to you?

RC4 (00:16:36):

Occasionally, but fairly rarely. It would be a call I do something or say she had an employee that wasn't doing a certain portion of the job, she's got a lot of responsibility, they're doing stuff for superior court, they're handling people's money, they're handling people's court records. What would be the ways that she could get somebody else to do the work if she wasn't going to be able to do something with the employee that was supposed to be doing it or if it was going to be a while. So those kind of calls.

Brenda Bannon (00:17:13):

Okay. Did you find those calls productive?

RC4 (00:17:18):

Yeah.

Brenda Bannon (00:17:19):

Okay.

RC4 (00:17:21):

I mean, that's kind of what I'm here for is to be that sounding board for directors when they want to know what they can do. Sometimes it's just to make sure that what they're hearing from the labor and employee relations team is something I agree with those kinds of things.

Brenda Bannon (00:17:45):

Okay. And has there been a time in 2024 to now where you felt like you fell out of favor with RC4 ?

RC4 (00:18:05):

No, I think I from her, no, never.

Brenda Bannon (00:18:18):

Okay. Who are you referring to when you sort of hesitated there?

RC4 (00:18:22):

Prosecuting attorney's office.

Brenda Bannon (00:18:24):

What do you mean?

RC4 (00:18:30):
I think they implied that a, I was a subject matter of this investigation. I might be one of the people that she was complaining about, but I never got that impression from her. But I also respected the decision of the prosecuting attorney's office to do what they need to do in the best interest of the county.

Brenda Bannon (00:18:57):
Okay. Alright. Right.

Brenda Bannon (00:19:07):
As a result of that assessment, were you tasked with different duties or sort of phased out of the every other Wednesday meetings? Nothing changed? You're shaking your head.

RC4 (00:19:18):
Nope, nothing changed.

Brenda Bannon (00:19:19):
Okay.

RC4 (00:19:22):
Other than that, the investigation that they had originally said would be under me was no longer under me. Okay.

Brenda Bannon (00:19:29):
Did you ever start a portion of the investigation yourself?

RC4 (00:19:34):
No, but the employee and Labor relations group initially had her complaint and they attempted the person in that group who does the EEO attempted to do an investigation

Brenda Bannon (00:19:51):
And

RC4 (00:19:51):
It got stuck.

Brenda Bannon (00:19:54):
The name of that person. Just for the record,

RC4 (00:19:57):
Vicki Moll,

Brenda Bannon (00:19:58):

Spell last name.

RC4 (00:20:02):

MOLL.

Brenda Bannon (00:20:04):

Thanks. I can double check. And when you say got stuck, what's your understanding of why it got stuck?

RC4 (00:20:14):

That RC4 expressed that she didn't trust Vicki and because she was part of HR.

Brenda Bannon (00:20:24):

Okay. All right. So anything else you think is important for me to know about the aspirational every other Wednesday meetings in 2024?

RC4 (00:20:41):

Not off the top of my head, no.

Brenda Bannon (00:20:43):

Okay. During those meetings at any time that you can recall, did RC4 bring to your attention concerns regarding feeling disrespected by her staff?

RC4 (00:20:59):

Yes.

Brenda Bannon (00:21:00):

Can you tell me about that?

RC4 (00:21:08):

I think there was definitely was more than once. I don't know that I'd say it was frequent, but times where something would happen in the workplace and she would have concerns that it was disrespecting of her.

Brenda Bannon (00:21:22):

Okay. Can you think of any examples off the top?

RC4 (00:21:29):

There was a concern she raised, and I don't know if it came up first at the Wednesday meeting, if it came up at the one-on-one, if it came up in a call or if RC4 called me and she had talked to him first, but during an all staff meeting they were talking about a computer implementation and she was leading the meeting and asked for feedback, I believe, on how things went. And one of the employees turned and addressed her and said they didn't think it was run very well and that they should have done more

testing and training beforehand. And she turned to the supervisor and asked, they did not get trained because her understanding was they had been trained, and the supervisor just didn't respond. And I think she proceeded to say something like, well ultimately your supervisor should have taken care of that. And the person said, oh, you're blaming my supervisor. And she said, well, no, ultimately the responsibility falls on me. And at some point the person who had asked the made the original statement turned their back -- in her perception.

Brenda Bannon (00:22:53):

And that particular incident was investigated, right?

RC4 (00:22:57):

Yes.

Brenda Bannon (00:22:57):

Okay. Any other examples that come to mind where it was expressed to you by RC4 that she felt disrespected by her staff?

RC4 (00:23:11):

She would say that she would walk in and greet people in the morning and walk around and try and greet everyone and some would answer back and some would roll their eyes and possibly smirk that she described kind of a dynamic of people who she perceived as being not supportive of her would reinforce the not saying hello with each other by eye contact or those kinds of things, and then roll their eyes when other people would greet her.

Brenda Bannon (00:23:47):

Okay. Did you provide any suggestions or problem solve any of that with her that morning greeting situation?

RC4 (00:24:00):

Yeah, we did talk about strategies for improving and also that the majority were not behaving in that way. They would greet her and that that is unfortunate, but you have to keep on doing your job. I had come to the county and had one or two people in the department who weren't very welcoming and you have to work through it, you have to do your job, you have to be, keep track of your responsibility. But we did try and give her suggestions at some point, connecting her with the organizational development and training manager to assist with some training, DEI culture training for the whole group in very small groups to help start getting them to be a little more aware of their behavior and to help kind of shift the peer pressure.

Brenda Bannon (00:25:14):

Okay. And they're already, or excuse me, there were over 50 employees that reported to RC4 when she started, is that right?

RC4 (00:25:25):

Yes, I think it's about that number.

Brenda Bannon (00:25:26):

So the majority you said were, from what you can tell, at least objectively welcoming and then a smaller percentage were not. Is that your take?

RC4 (00:25:35):

Yeah, I think initially there was some of the upper management that was not very welcoming or was behind her back, not very welcoming. And then it would manifest itself in walking out of a manage meeting management meeting and thinking that everybody was going to go execute a plan and then finding out that they had gone and said negative things about it to their teams, those kinds of things. But by 2024, most of them were gone. They had chosen to leave the clerk's office and she had brought in some upper management that she had hired. And yeah, I think majority of the non-management employees were always supportive of her, but it was again awkward.

Brenda Bannon (00:26:29):

Okay. And when you said initially it was upper management, there's a name that kind of stands out from the rest, what is that name?

RC4 (00:26:42):

Well, I start with RC4, who was her financial person who she had felt very positive about, and then he left and she alleged that on his way out he said, you're going to go to your knees because I'm not here. And had not set her up for success as somebody transitioning out and into another position at a different department in the county, or at least that's the appearance of it.

Brenda Bannon (00:27:14):

Okay.

RC4 (00:27:18):

I'm trying to, RC4 is the name that's probably the most confrontational.

Brenda Bannon (00:27:27):

Okay. So I want to ask you very directly this question regarding RC4. So back at the start of RC4 employment with Pierce County. So I understand that she started in early December 21, in the early part of her time at Pierce County. Did RC4 bring to your attention the comment that RC4 allegedly made that he was supposed to have her job but the county went a different direction and they decided to hire you I.E., because you're black, or words to that effect?

RC4 (00:28:30):

I think she shared it, but without the black, they obviously went a different direction. It was quite a bit later that she added anything that was more racially motivated.

Brenda Bannon (00:28:47):

Alright, so tell me, fill in the blanks of all of that for me a little bit please.

RC4 (00:28:56):

So as I recall, he applied for the clerk's position and was not selected. In fact, he wasn't even given a full interview. I think he was phone screened but didn't make it past phone screening. And another member of her management team was also a candidate and was one of the finalists. And when she came on board, she said he tried to start building relationships with their management team and that conversation was one they had, and then she posted for a deputy because there was no deputy, the previous clerk had left the position vacant when he left. And that when she sat down to tell RC4 that he had not gotten the job is when he became very agitated and had physical behavior that made her feel that her safety was not in a good space, leaning into the table, trapped in office, …sorry, my husband's glucose monitor is too high. And she brought those concerns to me and we initiated an investigation and the labor team did that investigation. The end result was that he was given a suspension for his behavior.

Brenda Bannon (00:30:44):

Okay. So the allegations were founded,

RC4 (00:30:52):

I will say it was quite candidly, two people in a room, which is tough to, and all too frequently ends up being you can't prove it. So it wasn't a witness, so it didn't happen In this instance, **the end decision was mine**. And based on both her attestation and what the investigation had found as to other employees indicating that he not always had the best behavior, **I found that having the discipline was warranted.**

Brenda Bannon (00:31:33):

Thank you. Excuse me. So it was your decision?

RC4 (00:31:44):

Yes.

Brenda Bannon (00:31:45):

Okay.

RC4 (00:31:46):

Ultimately,

Brenda Bannon (00:31:52):

Sorry about that. Can you hear my dog in my remote office today? Something's bothering him.

RC4 (00:32:03):

At least it's not your stomach growling. No

Brenda Bannon (00:32:05):

(00:32:06):

Too. Usually he's Mr. Mellow. Okay. So thank you for that sort of high level. I'm going to circle back to what you said when we started talking about RC4. You recall that RC4 brought to your attention her complaint and concerns regarding RC4 not being welcoming when she came

there and making comments about, well, I see they decided to go in a different direction. But your recollection, it sounds like, is that she didn't fill in the next blank of, oh, they hired you because you're black, or words to that effect -- and you're nodding. Now, do I have that right?

RC4 (00:32:58):
That's my recollection.

Brenda Bannon (00:33:00):
Okay. And you, I don't know what your style is ordinarily, did you take notes back in those early days when you were having these conversations with RC4 ?

RC4 (00:33:14):
If I take notes, it's to initiate action items and then I destroy 'em. They're just call Lisa and talk, get her started on this investigation. There might've been something that RC4 had asked me about beforehand and wanted to know what make a note that I got to tell him. And then once I did, I've just never been a big note taker ever.

Brenda Bannon (00:33:42):
Okay. All right. And so when did that comment get brought to your attention to the best of your recollection?

RC4 (00:33:57):
I don't really recall explicitly. I want to say perhaps about the time that she was on our, one of our DEI work groups that I chair, which is called the soc, SOCC, strategic oversight and I think coordination committee. And she got very emotional at one of the meetings and RC4 in the executive's office was also in that meeting. And it either came up in comments that she made at that meeting or it came up in the follow-up meeting that RC4 and I held with her to try and understand where her emotions had come from.

(00:34:53):
And she later told me that, and it wasn't that long after that, that part of what had made her emotional and raw that day was there was a black female administrator, I want to say at Notre Dame that ended up committing suicide because she was talking to her supervisor about concerns in the workplace and he didn't take any action to support her and eventually she committed suicide and she had just read about that or right before she came to that meeting. So it had made her emotionally raw and what we talked about that day in that meeting then led to her being very transparent and sharing to the group.

Brenda Bannon (00:35:45):
Okay.

Brenda Bannon (00:35:49):
Alright. RC4

RC4 (00:35:54):
Yes.

Brenda Bannon (00:35:54):
The two of you had a meeting in the aftermath of that DEI committee meeting?

RC4 (00:35:59):
Yes.

Brenda Bannon (00:36:00):
Do you remember approximately the date of that meeting?

RC4 (00:36:04):
No, but I think the prosecuting attorney's office has a copy. I did take notes on that one.

Brenda Bannon (00:36:08):
Okay.

RC4 (00:36:10):
I didn't keep a copy. They asked for a copy of it I provided to them.

Brenda Bannon (00:36:15):
Thank you. Okay. Was it on last year, 24 to your knowledge?

RC4 (00:36:26):
Probably.

Brenda Bannon (00:36:27):
Okay. Alright. Did you feel, and this is a feeling question, so that's why I phrased it that way. Did you feel or have a sense that it was a productive meeting yourself and RC4 and RC4 in the aftermath of that DEI committee meeting?

RC4 (00:36:50):
I think it was productive. It ended up, I was remote. They were in person. We did I think an hour and at some point we were talking about, again, break rooms and facilities and those kinds of things. And so RC4n and RC4 went downstairs to actually look at the space of what were the issues and what were people being concerned about.

Brenda Bannon (00:37:18):
Okay. Was there any action taken to your knowledge in the aftermath of RC4 sort of reconnaissance there?

RC4 (00:37:26):
Yeah, I think some more look at how quickly could we get furniture and those kinds of things changed.

Brenda Bannon (00:37:36):

How so? How did they change?

RC4 (00:37:41):
So we had bought 1501 Market Street and the seller had left all the furniture. RC4 had gone in and had a tour and identified some furniture that would be good for their break room in the clerk's office. And just getting that moved more quickly and put in place. And she had bought a TV and making sure it got mounted because that required assistance from facilities. And I would add in all of this, what we haven't touched on at all is the concerted effort by the previous clerk to publicly undermine her. That led to a lot of pressure being on her and public scrutiny with reporters calling. It appeared to her that as they discovered things that hadn't been properly done by the previous clerk, as soon as they were discovered, somebody at the newspaper knew they and would use it to say, Hey, look, this isn't up to date. This isn't done right at the clerk's office. And that somebody reported them to the state.

Brenda Bannon (00:39:08):
Okay. What was the name of the prior clerk?

RC4 (00:39:12):
Kevin Stock?

Brenda Bannon (00:39:14):
Kevin

RC4 (00:39:14):
Stock.

Brenda Bannon (00:39:15):
Kevin Stock.

RC4 (00:39:17):
And he had been there a long time, like 20 years.

Brenda Bannon (00:39:20):
And what were the circumstances of him leaving?

RC4 (00:39:23):
He retired.

Brenda Bannon (00:39:24):
What was his motive for maligning the clerk's office or RC4 ?

RC4 (00:39:33):
My perception was that some of the people like RC4 and RC4 were very close friends. They'd all worked together for 20 years and they weren't happy with her in the change. And they called him and he called people he knew.

Brenda Bannon (00:39:52):

And so you surmise that or do you have reason to think that?

RC4 (00:40:02):

I know that he called RC4 according to RC4, and asked him was he going to fire the clerk

Brenda Bannon (00:40:14):

When he was going to fire the clerk? Oh,

RC4 (00:40:19):

Are you going to do something about her?

(00:40:22):

And RC4 replied, no, not that he wasn't going to do it, but he was not. We all could see the mess that was there as you start digging into something and lack of documentation and lack of procedures. And so I believe he said to RC4 something like, well, if you don't do something, I'm going to do something. And then we started having the state come in and reporters calling. I had an interview with a reporter, I know that Livy Catalin, our communications manager, had multiple conversations and ultimately RC4 did a presentation to counsel on what she had discovered and what changes and resolutions they had put into place to create a document of that. So for instance, there had been a title company that had been in for a long time, like 10 years or more, and never paid rent

Brenda Bannon (00:41:38):

That one the news reported. Right.

RC4 (00:41:40):

Yeah. So that was her finding that. So those are the kinds of things that then would irritate people who had been there for a long time who didn't see them as wrong.

Brenda Bannon (00:41:51):

Okay. All

RC4 (00:41:53):

Right.

Brenda Bannon (00:42:06):

So let's go ahead. If you would be patient with me and go to the beginning of when the Pierce County clerk was hired. So her first day, my understanding was December 6th 21. Were you involved at all in her hiring or the interview process?

RC4 (00:42:25):

Yes.

Brenda Bannon (00:42:26):

Okay.

RC4 (00:42:28):
So for all of the director roles in that time period, I did a reverse interview as the first step for candidates that the recruitment team had identified as qualified or highly qualified. And a reverse interview is making myself available depending upon the position, either for a half hour or an hour to answer questions. I'm another director, I'm relatively new to the county, what do you want to know? Do you want to know what it's like to work for the executive? Do you want to know work structure? And so I had one of those with her. I also was on the interview panel.

Brenda Bannon (00:43:23):
Okay.

RC4 (00:43:25):
We presented three candidates to the executive, all of which were bipoc, which just happened to be happenstance. We went for the best and it was his decision on who to hire and he hired her.

RC4 (00:43:45):
Okay.

Brenda Bannon (00:43:53):
And if you were to, and I don't know if you know the answer to this, so just bear with me. If you were to compare RC4 prior employment with Pierce County in terms of size and scale, how would you describe the two?

RC4 (00:44:14):
I don't remember thinking it was a disparity, but I don't recall the numbers of her previous employment, but she had several court related positions that had similarities.

Brenda Bannon (00:44:29):
And in terms of the size of the locale that she was in a clerk role. Any recollection about that? Don't.? Okay.

RC4 (00:44:36):
No.

Brenda Bannon (00:44:38):
Along the way in the last several years, has it come up to your recollection, any comments by RC4 about the size and scale of Pierce County as bigger or smaller than what she's used to?

RC4 (00:44:52):
Not from her. I've heard it from other people.

Brenda Bannon (00:44:55):

What do you mean?

RC4 (00:44:57):
Just people could go in? Well, this was really too big for her. She came from a smaller group and it was too big a stretch.

Brenda Bannon (00:45:06):
Okay. What people have said, that kind of thing.

RC4 (00:45:13):
I don't recall any specific individual, just that as a comment that I have heard made.

Brenda Bannon (00:45:19):
Okay. Alright. Were you at all involved in sort of the physical onboarding of RC4 ? And by physical onboarding, I don't mean policy and protocols and retirement paperwork, but I mean the intro to her group, the physical space to where she'd be working, any of those sort of logistical issues when a person's totally brand new to a county such as Pierce county?

RC4 (00:45:58):
So what I did was the day before she started, so her very first day was confirmation. So they drove in the night before I got there and whatever the morning, and I think, and went in and got confirmed. And then

Brenda Bannon (00:46:12):
When you say they, you mean her and her husband?

RC4 (00:46:14):
Her and her

Brenda Bannon (00:46:15):
Husband. Okay. And

RC4 (00:46:16):
Her son was there too. They picked him up from the airport and her daughter called it, it was a tear

Brenda Bannon (00:46:21):
Jerker. Why was it a tear jerk?

RC4 (00:46:27):
Because her daughter called in for public comment and said that they had not made a mistake and her mother was amazing. Oh,

Brenda Bannon (00:46:35):

Nice.

RC4 (00:46:40):

So then they had a few days to get settled in before she actually came into the office, I believe. And I spent a couple hours with her, I don't know, a Denny's or an IHOP or something like that up in the area where they had rented a home just to kind of walk through logistics of what's an administrative guideline? What's this, what's the that who people are just very logistic, get the lay of the land kind of stuff. It has only been in the last year that I've had the aha moment that nobody at the executive office did anything to tell the department she was coming. They heard about it in the news. Now I would agree overall as an organization, we did a bad job of introducing her to her team and to help them get adjusted to it and to introduce her and those kinds of things.

Brenda Bannon (00:47:47):

What's your sense of where that sometimes hindsight is 20-20, right? What's your sense of where that lapse derived? What was the reason for that?

RC4 (00:48:03):

Well, and I'd say I've looked at how I was onboarded and they didn't do anything for me either. However, my administrative assistant took it upon himself to, Hey, would you like an org chart? Would you like this? Would you like that? And my guess is he probably then would say to people, oh, I talked to her on the phone and she seemed nice. Although I would say I came in and I had, one of my friends asked me after my first day, how was it? And I said, I had 25 people looking at me with terror in their eyes waiting for me to walk through and fire them. They'd been led to believe that all of them were in jeopardy

RC4 (00:48:44):

By

RC4 (00:48:44):

Somebody who come in and done a study. But I don't think that the executive's office really did anything more to onboard me than they did to onboard her. We both did the same thing. We came in in the morning, we met with the executive that went down to our department and started our day.

Brenda Bannon (00:49:11):

So related to that early phase, I'm thinking it's been brought to your attention concerns about, Ooh, ick, this office is really dirty and there's food in the refrigerator in my office. That's disgusting. And moldy. And why didn't anyone clean this up before I got here? Kind of comments from Constance White, is that you're nodding. So you've heard that

RC4 (00:49:34):

Kind of griping. I've heard that.

Brenda Bannon (00:49:35):

When did that come to your attention?

RC4 (00:49:44):

I think fairly early on, because we started the every two week meeting pretty early. We'll do this as long as you need to do this and as frequently as you need to do it. I came from Texas too. We did not know each other in Texas. We did not live near each other. But moving to a new place where nobody in the organization is a challenge and just being able to say, Hey, does so-and-so always do this or does, what's the best way to get hold of so-and-so? Those kinds of things to make sure.

Brenda Bannon (00:50:22):

Okay. And so you think you heard that from RC4 in those early days?

RC4 (00:50:30):

And I wasn't surprised, not that I expected things to be dirty, but we moved from one office building to the other and we let the previous department leave their furniture there and didn't take ours with because it was the least expensive option. And apparently somebody in that group had clipped their fingernails for the last five years into their desk drawer. And so a custodial comes through and cleans the top of everything. And that employee who got assigned that desk area opened a drawer and found a lifetime supply of cut fingernails. So I have that context right. I don't think it's, when she says it was dirty and the refrigerator wasn't clean, in my mind, yeah, that's custodial crew just wipes things down. We don't pay them to go in any deeper. That's again, an oversight that somebody should have gone in and taken care of. I don't think she had administrative assistant either when, or the person she did have as an administrative assistant was wearing multiple hats that it was Emma Gaddis and I think she was supervising another group as well. And so certainly looking at that kind of level of detail would not have been in her bandwidth.

Brenda Bannon (00:52:05):

So there's not kind of a, I know the same county clerk had been there a really long time, so there hadn't been a transition for a while. But there's no sort of expectation, not in writing, but kind of the way things happen at the county when there's a new director that just kind of make sure they have their computer and a clean desk and a place to work that's decent and that kind of thing. You're shaking your head

RC4 (00:52:39):

No, and I think we've learned from that. I'm hoping we learn from that. We just had a new executive come on board and they took two weeks between the old one and the new one to go in and paint the space, move out all the desks, put the carpet in and come back out. And I think that is partly Facilities realizing that having a visually cleansing transition is as important as just having a new person.

Brenda Bannon (00:53:09):

Okay. Thanks.

RC4 (00:53:14):

Thanks.

Brenda Bannon (00:53:24):

All right. So you're familiar with some of the investigations or reviews that have occurred to date?

RC4 (00:53:38):
I lost her after You are familiar. Oh,

Brenda Bannon (00:53:41):
Sorry. Are you hearing me now?

RC4 (00:53:43):
Yeah.

Brenda Bannon (00:53:44):
Okay. So I was going to ask you some questions about some things that have happened up until now, but I just wanted to clarify. You have some familiarity with some of the investigations or reviews of concerns that have occurred to date. But it sounds like perhaps prior to my investigation beginning, there was a point in time where you were no longer sort of the person with oversight over these kinds of events. Do you remember when your specific involvement stopped or is that an inartful question?

RC4 (00:54:21):
To my knowledge, it didn't.

Brenda Bannon (00:54:22):
Okay. Alright. So to your knowledge, go ahead.

RC4 (00:54:30):
The only thing to my knowledge is that at some point, so when we discussed bringing on an independent investigator in the executive's office and I asked who would this person report to? I believe Mary ett and Michelle Luna said it would be me. And at some point after that, they went to the executive's office and I was told by RC4 that they had been advised it shouldn't report to me and it would report to the finance director, but that didn't change anything else. So when she has an employee that is not performing their job since then, she may complain to me, I will turn it over to labor, which is the same process. I don't do those investigations when it's over will tell me what it is or if there is. The only one that really had authority issue was RC4, the two people in the room. And we really disciplined somebody or something, somebody alleges. And then I read the draft report and based on the other stuff that was in it made the determination to support some disciplinary action to him.

Brenda Bannon (00:56:07):
Okay.

Brenda Bannon (00:56:11):
Alright. So are you able to tell me at a high level the number to sort of go through in some sort of a chronological manner, the different events that have resulted in some kind of investigation related to RC4?

RC4 (00:56:37):

We did the RC4, then RC4 left the finance person, then she hired another woman, I don't remember her name. She wasn't there long. And she, meaning this other woman was very agitated about the lack of documentation, the lack of knowing what to do. They found out that reconciliations hadn't happened for months, but they couldn't locate documentation. And people said that the one person who had said, who had been trained hadn't done it for a few weeks and said they couldn't remember how to do it. So there was an investigation that arose out of that instance. Both the person who they couldn't remember how to do it, which by some people was framed as refusing to do the work. How could you forget to do the work? And that's same person who wasn't doing the work was also calling HR. So I know they in labor were talking to both the employee that was part of the problem and RC4, this other person. So there was investigations around that. Policies we had, she found a manual sitting on a table labeled WTF.

(00:58:32):

She asked some new employees what it was and they said, oh, you're not supposed to see that. She looked at it, it had unflattering things that had come through the clerk's office. She made me aware of it. We made arrangements for her to bring it over to me in a different location and we locked it in a locking office. I don't have an office. I haven't had an office since Covid, we just hotel when we come in normally, but my administrative manager uses the same space all the time and we could control the keys and we put it in there and locked it up until Melissa and her team and labor could get a hold of it and do an investigation. And also at that, she was given another because she said the person came and said, so if you want that one, you probably want this one too. And it was, I think more celebrity casework that had come through the system. So there was investigations on those? There was an investigation, the person turning their back to into the meeting. There was an investigation because one of the people at the front desk chose to use information out of a person's file to send them a personal email from their county email suggesting that maybe they should get together and date.

(01:00:04):

Yeah, you can't make this up. So we did an investigation on that. And then there was just the one we talked about that we tried to have Vicky do on a bigger, more global allusions to race being a motivator. And she got some of that work done and then it stalled and then there was you.

RC4 (01:00:39):

Okay.

Brenda Bannon (01:00:48):

Alright. What would you say to this suggestion, RC4, we're going to wait for you to swallow that water that you, I just caught you in the middle of a drink. What would you say in response to this suggestion? During the course of my meetings with Judy, she minimizes my experiences when I talk to her about race and my employees treating me with disrespect and this concept about being mobbed by my employees, creating a hostile environment for me,

RC4 (01:01:39):

I would not be surprised at that being attributed to RC4.

Brenda Bannon (01:01:44):

Okay. And why is that? I

RC4 (01:01:53):

Think for all the reasons I've shared with you that frequently it was an experience that I had had that others had had that not everything is always based on poor behavior can be for lots of reasons. And just moving somebody's cheese is enough to make them behave poorly. I don't think I ever minimized the personal impact that it had on her. It was my suggestion encouraged her to use EAP RC1 I was aware that it's very difficult to get a person of color through the EAP because at some point during Covid, when they offered to do another lunch and learn, and I had read stuff about how it was impacting women and people of color more harshly than it was affecting others. I asked could they please provide the guest speaker to be bipoc so that if people tuned into that lunch and learn, they would see somebody that might resemble them and we might hit some of that market and they could see that as a resource. And he had a terrible time getting somebody, he ended up getting somebody and they were very good, but he contacted the EAP said it was very difficult to find a person of color to be able to come in and do that lunch and learn.

Brenda Bannon (01:03:31):

Okay. When you said hitting persons of color with more impact, what was hitting them?

RC4 (01:03:39):

The experience of covid.

Brenda Bannon (01:03:40):

Okay. And so your point is finding a person in the EAP program that is bipoc was challenging,

RC4 (01:03:53):

Would be challenging. So I made the suggestion would she be open to, and it might have, I think the original suggestion came from the then assistant director in the labor and employee relations, Lisa Asse, that they knew of a woman who was very good as a personal coach that was black. And then perhaps that would be a resource that Constance would like to use, not as a coach, but as somebody, not because we were identifying performance deficiencies on her part, but for her to have a resource to help her navigate and work through these. And she thought that was a great idea. That woman, by the time we got ready to contract, was no longer available. She recommended somebody else who's in Tacoma and we contracted with him, Bobby Hume. And then she wanted it renewed, so we renewed the contract as well.

Brenda Bannon (01:05:07):

Who's the she?

RC4 (01:05:11):

RC4 .

Brenda Bannon (01:05:12):

So Bobby Hume was hired under contract?

RC4 (01:05:18):

Yes.

Brenda Bannon (01:05:19):

And what were the services he was contracted to perform?

RC4 (01:05:23):

I don't remember exactly. It was a stock coaching and support contract. I think they had monthly meetings.

Brenda Bannon (01:05:32):

Okay. And did you receive feedback from RC4 regarding how that was going for her?

RC4 (01:05:40):

She thought it was very helpful, which is why when I asked did she have an interest in renewing, I think it was a six month contract to renew for a second six months, she said yes, and we did that.

Brenda Bannon (01:05:51):

And do you know whether you have any teams messaging or emails or texts in writing about you're kind of checking in with her about that experience?

RC4 (01:06:03):

No, it would've been at our one-on-ones.

Brenda Bannon (01:06:06):

Okay. Is that service still being provided?

RC4 (01:06:12):

I don't know.

Brenda Bannon (01:06:13):

Okay. Would you be able to I

RC4 (01:06:15):

Have. I have on my notes though that the contract is about to expire and I have a one-on-one with her on Thursday. So I was asked to ask if she wanted it renewed. Again, it's paid for out of the executive's budget, so then I would have to get approval from the executive.

Brenda Bannon (01:06:33):

Would you be able to, in your role, check to see if those meetings have been occurring and let me know?

RC4 (01:06:42):

I can ask her. That's the only way I'd know.

Brenda Bannon (01:06:45):

You can't look at, for example, the financial piece of it to see that those meetings have been occurring.

RC4 (01:06:51):

It was a lump sum. It was. We gave so much upfront and so much at the end. It's not a fee for meeting or anything like that.

Brenda Bannon (01:07:00):

Is there a person point of contact who's responsible for making sure that those monies are being spent according to the contract? And so there's a person you could contact to find out if those meetings are occurring. Besides talking to RC4

RC4 (01:07:17):

The administrative assistant that reports to me is the one who administers that contract and she doesn't get those kinds of records.

Brenda Bannon (01:07:25):

Okay.

RC4 (01:07:26):

I'll double check with her. But she's the one who said, Hey, the contract's about to expire, we have a renewal in there if you want to do it.

Brenda Bannon (01:07:39):

So nobody checks in with Bobby?

RC4 (01:07:42):

No.

Brenda Bannon (01:07:43):

I see. Okay. Alright. And how long has that been going on to your knowledge?

RC4 (01:07:52):

It's probably a little over a year because the first one I think was six months. And then we had done that on a fast track contract, and then the second one took three months to do the full contracting process. So there was a gap in there and then the next one picked up.

Brenda Bannon (01:08:15):

Okay. Got it. Thank you. All right. Has RC4 ever expressed to you, RC4, any feelings about that? It seems like you're trying to minimize her experience as a black woman there at Pierce County.

RC4 (01:08:40):

Nothing that direct. No.

Brenda Bannon (01:08:43):

What, if anything, has been relayed to you in that regard?

RC4 (01:08:47):

I don't think anything directly from her.

Brenda Bannon (01:08:53):

What about indirectly?

RC4 (01:08:55):

What she talks about is, she will say to people poorly towards me that nothing gets done. And she'll say that, say at a SOCC meeting, but never necessarily never directed at me or in a one-on-one where she would say, you don't, I think she might've at one meeting. I'm trying to think what the context was. I don't even remember. She got mad at me for something at one meeting. Kind of like, you're not listening. It wasn't even, you're not listening. But then it ended up being a misunderstanding and we were fine.

Brenda Bannon (01:10:04):

Okay.

RC4 (01:10:06):

Sorry, I can't give you, it was one of the RC4 and RC4 and RC4 meetings.

RC4 (01:10:14):

Okay.

Brenda Bannon (01:10:25):

What is the Black Collective?

RC4 (01:10:30):

My understanding is it's the group in Tacoma of people of color that get the impression they kind of have some power and sway in Tacoma.

Brenda Bannon (01:10:47):

What do you mean?

RC4 (01:10:55):

It's important to get to meet the Black Collective? It's important to have them say good things about you, but I've never met anybody. I've never gone through a Black Collective meeting or any of that. But I know Bruce would go. And

Brenda Bannon (01:11:15):

The executive, do you know who was on the Black Collective or who's a part of the Black Collective?

RC4 (01:11:25):

I want to say the former deputy executive was black, maybe an administration ago. So now McCarthy, but maybe the one before. See, I came from Texas. They used to live here 25 years ago in Washington, but I never was in politics. And so all these people are like, I dunno who they are.

Brenda Bannon (01:11:53):

You don't know who they are. Okay. Alright, got it. Did RC4 ever express to you upset towards the Executive at the time of her hire? Shortly after she was hired saying that he needed to get her connected with the Black Collective,

RC4 (01:12:16):

She never expressed to me that it was negative. I know that that was part of the plan. I know, or I think that's where somebody said to her, oh, you're just a new Carol Mitchell. That's the only reason they hired you.

Brenda Bannon (01:12:29):

Ah, and for the record, who's Carol Mitchell?

RC4 (01:12:35):

She was on the executive staff when I joined the county. She was on my interview panel. And she was a black woman who made allegations of racism against the executive. And who settled with the County…

Brenda Bannon (01:12:51):

And separated from the county?

RC4 (01:12:56):

No, she left the county voluntarily, but she's sued the county.

Brenda Bannon (01:13:03):

Okay. Did you ever make a comment to RC4 in a context where there was a dispute with another person or a group of persons that they won't help you because you're black? Okay. Does anything like that come to mind? You're sort of scrunching your face and shaking your head. Nope. Okay.

RC4 (01:13:42):

That is not something I would say. I might in context talk, I dunno. So you talked earlier about not the complaint about me might be that I didn't acknowledge color or whatever, and RC4 talked a lot about being authentic and talking about difficult subjects and I tried to be supportive in that and I would never go, that's nothing because I think her experience was her experience.

Brenda Bannon (01:14:32):

Okay.

Brenda Bannon (01:14:38):

Are there any other examples that we've missed where RC4 skin color came up operationally or in conversations with her that we haven't touched on?

RC4 (01:14:58):
I think the ones we've touched on came up multiple times, so less about it being a one time conversation. And over. We have talked about her skin color in supporting ERGs. There was a black ERG and she expressed an interest in being their executive sponsor.

Brenda Bannon (01:15:32):
Did she become that?

RC4 (01:15:34):
Yes.

Brenda Bannon (01:15:35):
Is she still,

RC4 (01:15:39):
They had a change in the chair and I know she was having a problem getting ahold of the new chair and I don't know where that landed.

RC4 (01:15:54):
Okay. Okay.

Brenda Bannon (01:16:19):
So I did receive some notes that I believe are your notes that you had provided to the prosecutor's office. Were those sent to you recently as well?

RC4 (01:16:30):
No.

Brenda Bannon (01:16:31):
Okay. Some notes from a meeting that's from, since March of last year. Is that ringing any bells?

RC4 (01:16:39):
RC4, is that the one with RC4 attendance? Let's see.

RC4 (01:17:09):
One moment please.

Brenda Bannon (01:17:33):
Are you at your computer right now?

RC4 (01:17:37):
Yes.

Brenda Bannon (01:17:38):
I'm just going to forward this to you and then you can tell me if that's what it's about. The subject line. Will just read, notes.

RC4 (01:17:56):
Just sent?

RC4 (01:18:28):
Yes. Says RC4 and RC4

Brenda Bannon (01:18:30):
Okay. The top of that, the title of it is a little cutoff from my vantage, so yeah, well the

RC4 (01:18:35):
Title of the document is

Brenda Bannon (01:18:38):
Got it. Okay, great. So the meeting that was in the aftermath of the DEI committee meeting was March 25, 24?

RC4 (01:18:52):
That would be my summation yes. Assumption.

Brenda Bannon (01:18:54):
So would you just, it's 2 22 now. Would you just take a moment or two to just look at your notes? Tell me if there's anything in there that sparks a memory of something that we haven't yet talked about while I'm going through my notes as well, we'll just take a little pause.

RC4 (01:20:51):
We haven't talked about RC4 .

RC4 (01:20:53):
Okay.

RC4 (01:21:18):
Yeah. So the new fiscal manager that I talked about was Danielle Scott.

RC4 (01:21:23):
Okay.

RC4 (01:22:30):

Yeah. So that's the other thing. Kevin Stock put in a, I didn't remember that Kevin Stock put in a public records request. So when you asked, how did we know it was him?

Brenda Bannon (01:23:54):

It's 2 27. I'm just going to pause the recording real quick. Okay. It's 2 29 on January 13. We're back on the record. Do I still have your permission, RC4, to record our conversation?

RC4 (01:24:09):

You do.

Brenda Bannon (01:24:10):

Thank you so much. So you had a chance to take a gander at your notes that you had prepared in March of 24. You're nodding yes. Yes. So

RC4 (01:24:23):

Two items that I noted. One was a reference to Chris Gaddis and when RC4 came to the county there, I don't remember whether she was, she [Emma] had been Kevin Stock's administrative assistant, but she also became a supervisor and worked for the clerk. And RC4 believed that she had a good working relationship with Emma. Emma's husband is the administrator of the Superior Court, the court, which RC4 is supposed to serve or assist with their documentation. And eventually RC2 . Well, first when they ran the recruitment for the deputy, Emma got the job for Deputy and was doing that job as well as her old supervisor job. And RC4 was very concerned about that. It was a huge amount of work and was working very hard to try and get support for her so that she didn't have to do both jobs.

(01:25:52):

But her old job required her, I think, to do records and they had to be, after the court case closed, they had to be into the system by a certain amount of time and reviewed or something. And so it was very time sensitive and so you couldn't just not do that. And so she had to do both the deputy and this other job. RC2 eventually resigned and apparently had been unhappy and part of that associated with RC4 and RC4 and that group, which then led to also tension from Chris Gaddis as her husband.

Brenda Bannon (01:26:36):

Okay. Let me see if I can unravel that a little bit. So Chris Gaddis spelled C-H-R-I-S, is that correct?

RC4 (01:26:47):

Yes.

Brenda Bannon (01:26:47):

Is the Superior court administrator, correct?

RC4 (01:26:52):

Yes. Yes.

Brenda Bannon (01:26:53):

His wife is Emma Gaddis. And Emma Gaddis had two roles at some point, both an administrative assistant role and a deputy clerk role.

RC4 (01:27:05):

Yeah.

Brenda Bannon (01:27:05):

All right.

RC4 (01:27:06):

Yes.

Brenda Bannon (01:27:07):

And at some point she RC2 quit and had expressed some dissatisfaction with that full situation in the aftermath. Is that correct?

RC4 (01:27:15):

Yes.

Brenda Bannon (01:27:16):

In

RC4 (01:27:16):

An exit interview, I think that she did,

Brenda Bannon (01:27:18):

RC4 was a service manager.

RC4 (01:27:24):

He was the financial manager.

Brenda Bannon (01:27:26):

And he quit?

RC4 (01:27:28):

Yes.

Brenda Bannon (01:27:30):

And

RC4 (01:27:32):

He went from there to district court and then abruptly quit in district court and went to work for Chris Gaddis.

Brenda Bannon (01:27:42):

Okay. And what's the tension with Chris Gaddis that you referred to?

RC4 (01:27:49):

Just that Emma expressed that she was not happy as part of her exit, and he's her husband.

Brenda Bannon (01:27:59):

Okay. And you've reviewed those exit interview notes, or you were involved in the exit interview?

RC4 (01:28:06):

They were. I don't remember whether it was RC4 or Bruce who met with Emma and then somebody from hr. I think Lisa was a note taker.

Brenda Bannon (01:28:24):

Okay. And have you reviewed those notes?

RC4 (01:28:31):

Yes.

Brenda Bannon (01:28:31):

Okay. And who would I seek those notes from?

RC4 (01:28:38):

Melissa Arnold should be able to get them for you. She's the assistant director in labor and employee relations.

Brenda Bannon (01:28:45):

Okay. And so what is the dissatisfaction more specifically that you're aware of?

RC4 (01:28:54):

It tended to be, she doesn't talk nice to us kinds of comments.

Brenda Bannon (01:28:59):

Who's the she

RC4 (01:28:59):

Would be RC4 .

Brenda Bannon (01:29:02):

Okay.

RC4 (01:29:03):

And there's a couple of them. I want to say three or four.

Brenda Bannon (01:29:09):

Okay.

RC4 (01:29:09):

So RC4, when she left did one, I think RC4 did his Loudeermill in those notes. But all of them, when I read them, RC4 read them. Bruce read them, did not find, other than expressing kind of, she's not very nice comments. There was no, she asked me to do something that's wrong. She uses improper language. She

Brenda Bannon (01:30:04):

Okay. There was nothing like that is what you're saying?

RC4 (01:30:09):

Yes.

Brenda Bannon (01:30:09):

Okay. So was there a situation where specifically RC4 was asking for help from Emma or RC4 and they refused to provide her assistance?

RC4 (01:30:33):

It was RC4.

Brenda Bannon (01:30:35):

And what was that situation about?

RC4 (01:30:38):

So I mentioned that there weren't procedures and they found that stuff hadn't been done for a while. That was pretty significant.

(01:30:49):

And so I don't know who went first to RC4, either me or her or RC4. But we brought RC4 in for support. Hey, we've got this stuff, how can we help? How can we get help? And he said, since RC4 had only gone over to district court and was doing their financials, have you asked him to come back in and help? And we said no. And I said, you ask him because you're the director of finance and if got no reason to do anything for me, he's expressed that he doesn't care for RC4, but you as the director of finance, he has to work with you ongoing because he's just over in district court. And so he went to Misty Robinson, the administrator of district court, and asked if they could borrow RC4 some to use to get information so they could get things straightened out, didn't have to do the work, just had to explain it. And in fact, we were using another financial person from facilities that was on loan. And the statement was, and in fact he can meet with Andrew from facilities, so you don't even have to talk to anybody in the clerk's office. You can just come and do that. And Misty thought it sounded reasonable, but said she would ask him and then came back shocked and said, he said, no.

Brenda Bannon (01:32:36):

What's Misty's last name?

RC4 (01:32:38):

Robinson.

RC4 (01:32:41):

Robinson.

Brenda Bannon (01:32:46):

And did RC4 bring this issue to your attention and allege that it was related to the color of her skin?

RC4 (01:32:57):

She did not say anything about the color of her skin. RC4 was shocked. You don't know RC4, but RC4 doesn't get shocked very often, but I think he was shocked that he would say no. And then he moved over to Superior Court working for Chris Gaddis and RC4 approached Chris Gaddis because this seems like an even closer nexus. This is court records that come from Superior Court about financial transactions. They should have an interest in helping get them straightened out. And Chris said he wouldn't even ask him.

Brenda Bannon (01:33:38):

Okay.

RC4 (01:33:41):

Or at least that's what I was told. This is all secondhand. I wasn't in on those conversations, but that's what RC4 said.

Brenda Bannon (01:33:50):

Alright. All right. So did it get resolved?

RC4 (01:33:57):

They hired a new financial manager who figured it out.

Brenda Bannon (01:34:00):

Okay. Who's the new financial manager?

RC4 (01:34:06):

Nee to, I dunno what her last name is.

RC4 (01:34:14):

That's okay. I can figure that out. Alright,

RC4 (01:34:28):
And then the other person who we haven't talked about is RC4, when you want to, let's

Brenda Bannon (01:34:33):
Go ahead and talk about that.

RC4 (01:34:36):
So she was the other finalist, one of the three finalists or the clerk's position, she had run pretrial services in the clerks. So a subdivision within clerk. When Kevin Stock announced he was retiring, he started sending RC4 in his behalf to cabinet meetings and those kinds of things. She was perceived very favorably. She worked this program, they got picked as a pilot. She was told she didn't get the position. And I want to say within the first week that RC4 started, she told her, just so you know, I have a meeting with the executive and I'm going to have us to be split off into a separate department.

(01:35:37):
And she did have that meeting and the answer was no. And then some of our conversations after that, my conversations with RC4 was around not being able to get specific answers from RC4 about how programs were running. Think how many contacts do people make, how frequently we need more. RC4 would say we need more people. And RC4 would say, how many on average does each person cover? And couldn't get direct answers asked about program development. And the answer was, I have to get a work group together of other people to figure out what next steps are. And so there was tension.

Brenda Bannon (01:36:43):
Okay. Were there allegations regarding color or race?

RC4 :36:48):
No.

Brenda Bannon (01:36:50):
Okay. Did that get resolved?

RC4 (01:36:55):
She left and she now works for council.

Brenda Bannon (01:36:57):
Alright. She quit?

RC4 (01:37:02):
Yep.

Brenda Bannon (01:37:02):
Okay. Who does she work for?

RC4 (01:37:06):
County council

Brenda Bannon (01:37:07):
As an advisor or, not as an individual? Yeah. Okay.

RC4 (01:37:10):
Yeah, no, as a technical advisor.

Brenda Bannon (01:37:13):
Okay. All right. Anything else in your notes that prompted a memory that we probably should talk about, you're shaking your head? No.

RC4 (01:37:26):
No.

Brenda Bannon (01:37:26):
Okay. Was there an example that was brought to your attention by RC4 related to that high profile trial where there was some upset about an employee of the county suggesting that RC4 would have some insight into how the black community might react to the verdict?

RC4 (01:37:50):
Yes.

Brenda Bannon (01:37:50):
Can you tell me about that?

RC4 (01:37:52):
She said that in one of the meetings they had suggested that she be the spokesperson for the county, I think because the optics would work better. And she said absolutely not. And I agreed with her, that's not the right A, it wasn't appropriate role for her, and B, they shouldn't ask her to do it. She participated in the planning and tried to provide helpful input, but I supported her in not doing that. I wasn't on that work group, so it was just what she told me about.

Brenda Bannon (01:38:37):
Okay. Did you talk to the persons that had brought that issue up?

RC4 (01:38:44):
No.

Brenda Bannon (01:38:45):
Okay. Was the name Libby one of the persons

RC4 (01:38:52):
Catalinich,

Brenda Bannon (01:38:53):
The

RC4 (01:38:53):
Director? She's our communication

Brenda Bannon (01:38:55):
Director.

RC4 (01:38:55):
She's our director of communications. Yeah.

Brenda Bannon (01:38:57):
Okay. Did that conversation ever come up between you and her since? Okay. All right. Did you ever specifically yourself last summer come to RC4 and talk to her about whether she might just feel comfortable talking to Treja Miranda at the prosecutor's office about some of these issues? So she might be somebody that she's comfortable with?

RC4 (01:39:32):
Yes.

Brenda Bannon (01:39:33):
Can you tell me about that RC4

RC4 (01:39:35):
She had expressed to me a lot of distrust of the people in the prosecuting attorney's office. And so when Treja was selected, I heard great things. Melissa was on the interview panel that she had worked at Summit. She was very, very good. And so I told RC4 that we had somebody new and I was going to ask her to be involved in what we were working on because I had heard good things about her and I thought her perspective would be a welcome perspective.

Brenda Bannon (01:40:16):
What was the reaction by RC4 ?

RC4 (01:40:22):
I thought positive. I wouldn't say jumping for joy are excited, but it wouldn't have been an appropriate response for that. But just I think a willingness to be open-minded because a lot of this stuff touched on the prosecuting attorney's offices. We did investigations and dealt with this stuff, and if you don't trust any of them, that makes it hard to do that work.

Brenda Bannon (01:40:52):

Did you mention to RC4 that Ms. Miranda was black?

RC4 (01:41:00):
Mentioned she was a person of color.

Brenda Bannon (01:41:01):
Okay. And was there any reaction from RC4 about that?

RC4 (01:41:08):
No.

Brenda Bannon (01:41:10):
Okay. Did it come up one time or more than one time?

RC4 (01:41:17):
I think just the once.

Brenda Bannon (01:41:18):
Okay. All right.

RC4 (01:41:32):
She had a deep distrust of everyone in the prosecuting attorney's office.

Brenda Bannon (01:41:37):
Okay. Do you know where that derived?

RC4 (01:41:41):
I don't know. For her personally in front of me, they said things about these are career service employees, meaning that RC4 and RC4 and all those people could not be accused of those things because they were longtime career service. So that made them immune from doing bad things. But I think they were all friends.

Brenda Bannon (01:42:09):
So RC4 remind me that RC4 what that stands for?

RC4 (01:42:17):
RC4 .

Brenda Bannon (01:42:18):
Thanks. And who was the third one?

RC4 (01:42:23):
I think those were the two big ones. Probably Emma too.

Brenda Bannon (01:42:26):
Okay. Was Emma specifically accused of anything besides just not being helpful?

RC4 (01:42:33):
Emma was always helpful.

Brenda Bannon (01:42:35):
Okay. So why do you say Emma?

RC4 (01:42:38):
Because when she left, she expressed the same concerns that the other two had,

Brenda Bannon (01:42:43):
That RC4 wasn't being very nice in her language or her words?

RC4 (01:42:49):
Yeah, in her leadership style, I guess.

Brenda Bannon (01:42:52):
Leadership style.

RC4 01:42:53):
Okay. Alright.

Brenda Bannon (01:43:03):
Okay. Did you ever talk to RC4 specifically about her perspective that the minority of people in her crew that were being disrespectful, she used the word mobbing. Did you talk to her specifically about that concept?

RC4 (01:43:27):
Not about mobbing.

Brenda Bannon (01:43:28):
Okay. It didn't come up to you.

RC4 (01:43:36):
We talked about the behavior, but not in terms of mobbing.

Brenda Bannon (01:43:40):
Okay. Do you know what that means?

RC4 (01:43:43):
I don't.

Brenda Bannon (01:43:44):

Okay.

RC4 (01:43:48):

We talked about the things that I shared you earlier of coming in and saying good morning and people rolling their eyes or those kinds of things.

Brenda Bannon (01:43:57):

Got it.

RC4 (01:44:04):

She bought a massaging recliner for them in their new break room and they were putting in, the Facilities was there installing the new tv, flat screen tv, and a gentleman was sitting in the recliner and it was massaging and he said, how big is that tv? And somebody said, oh, it's a 55 or a 60, or whatever it was. And he said, oh, you couldn't pay [?] for a 75 inch?. And the Facility staff expressed, I wouldn't say outrageous, but said to her like, what a jerk.

Brenda Bannon (01:44:47):

That he would do that...

RC4 (01:44:48):

That I would appreciate if my boss came and worked so hard to put in a break center. So that's another example of not being very nice behavior.

Brenda Bannon (01:45:01):

Did that money come out of county monies or out of RC4 monies?

RC4 (01:45:06):

Some of it came out of her pocket.

Brenda Bannon (01:45:08):

Okay.

RC4 (01:45:11):

I don't know how much was that and how much was out of the clerk's office, but I do know that she invested some of her own, or at least she said she invested some of her own money in some of it.

RC4 (01:45:20):

Okay.

Brenda Bannon (01:45:30):

So we've talked about RC4 Kevin Stock. Amanda, remind me what Amanda's role was in all of this.

RC4 (01:45:38):
She's, she was, had been a financial person I think, and then had moved over into being RC4, but had been trained before. RC4 on how to do some of this financial stuff. And so then was asked to come back and do the financial stuff, did for a while and then forgot.

Brenda Bannon (01:46:01):
Oh, she was the forgetful one?

RC4 (01:46:03):
Yeah. And she works at the clerk's office now too.

Brenda Bannon (01:46:06):
Okay.

RC4 (01:46:07):
I mean, not at the clerk. She works at the Superior Court now too.

Brenda Bannon (01:46:10):
Okay. Is Chris Gaddis her boss?

RC4 (01:46:18):
Ultimately? Yes. So most of the hardest pushers seem to have migrated up to Superior Court.

Brenda Bannon (01:46:29):
Okay. Speaking of changes, do you know where RC4 is working currently?

RC4 (01:46:39):
The prosecuting attorney's office

Brenda Bannon (01:46:42):
With Pierce County?

RC4 (01:46:44):
Yes.

Brenda Bannon (01:46:45):
When did that happen?

RC4 (01:46:49):
Came six months ago.

Brenda Bannon (01:46:54):
In what capacity?

RC4 (01:46:57):

RC4. I think they hire their own people. They have their own HR, prosecuting attorney's office does. I asked did they read his file? **She said yes, they did. Their HR manager, Gail, and they chose to hire him and it terrified the clerk.**

Brenda Bannon (01:47:29):

So you're thinking June or July?

RC4 (01:47:34):

I think so. I don't remember it, but it was not that long ago. He was out, he was somewhere else for about a year and then he came in I think, and was hanging out in the clerk's office and it ended up he'd been hired up in the prosecuting attorney's office.

RC4 (01:47:55):

Okay.

Brenda Bannon (01:48:04):

Is there anything else that you think I should know about, RC4 that we haven't yet touched on?

RC4 (01:48:10):

No.

Brenda Bannon (01:48:15):

Is there any example that has been brought to your attention directly from RC4 or indirectly by another person that derives from RC4 where race or color has been an issue in her workplace?

RC4 (01:48:35):

No.

Brenda Bannon (01:48:43):

So could you give me a long paragraph please. Explaining RC4 being suspended versus RC4 being terminated for his behaviors, why that didn't happen? Not trying to say I disagree. Just playing the devil's advocate and wanting to make sure that we've covered all the ground with regard to that decision.

RC4 (01:49:15):

So I inherited a civil service process and past in history and based on what discipline normally happens in what, and they did an independent investigation, their conclusion was that perhaps there should be no discipline because it was two people in a room and they could not prove without a shadow of a doubt that he said the things she alleged. He said so based on the report and the other people who were interviewed and the other things that they said that he had, his behavior was not inconsistent with what she had alleged happened in that room that day. I made the decision that a suspension would be warranted. There's no way we could have done a termination based on prior practice.

Brenda Bannon (01:50:24):

Explain please.

RC4 (01:50:29):

When I came to the county, they had a history of doing a three day suspension, a five day suspension, a 10 day suspension, a 15 day suspension, a 20 day suspension, and then maybe they would terminate. We are more aggressive now, but still are not. You can't,

Brenda Bannon (01:50:54):

Okay.

RC4 (01:50:56):

So they have people there who have been suspended multiple times over 20 years for exactly the same thing and are still employed there.

Brenda Bannon (01:51:08):

Okay. RC4, was he a union employee?

RC4 (01:51:13):

No. Okay. He was a supervisor, so I don't think he was union, **but he was career service**.

RC4 (01:51:23):

Okay.

Brenda Bannon (01:51:30):

Do you know whether or not where RC4 used to work or former employment, whether or not the folks that were subordinate to her were in civil service roles?

RC4 (01:51:47):

I don't know.

Brenda Bannon (01:51:48):

Okay. So I'm going to ask you your perspective. Alright. Besides the obvious situation where there were two individuals that applied for RC4 role and did not get it and RC4 came from a different state and was awarded that position, is there any other obvious motivation for some individuals to be less than helpful that you uncovered, that you witnessed yourself, that you observed?

RC4 (01:52:47):

It appears that there was not a lot of supervision in that office for a while before she came. So people got to decide what they wanted to do and how they wanted to do it. So it was is disruptive to them to have a supervisor come in and ask them what they're doing, why they're doing so she could understand the operations of the office. She would share that there were employees that all had the same job title, say legal assistant one. And she would say, you're short, somebody over in this department division, why don't you move this person over there to fill in? And the answer was, they don't like doing that over

there, so we don't make them go over there and do it. She started working towards cross-training and people being interchangeable, which also then was supportive of people having growth opportunities and those kinds of things. But I think for some people who were used to nobody interfering with how they ran their group, that felt very uncomfortable. Okay.

Brenda Bannon (01:54:18):

Were there under the former clerk any other behaviors or circumstances such as favoritism or favors or other issues related to those kinds of concepts that you came across that you were looking at these issues in the clerk's office?

RC4 (01:54:39):

I've heard anecdotally of that. I know that if you ask RC4, she would have the notes from an investigation that was done when Kevin Stock was still there. And my recollection is that he put everybody in a room and had the young people sit on one side and the old people sit on the other side and said to the old people, you see those people, those are the people who are going to get promotions. You are not, because we're not going to do old ways, we're going to do new ways kind of thing. And that was right before he retired and made us all kind of on notice. It had been very quiet. We never heard anything from the clerk's office. There was no complaints, there was nothing. And having that investigation done, got us to start realizing that there probably was not the best management practices there.

Brenda Bannon (01:55:43):

Okay. Was Kevin Stock's boss, the county executive?

RC4 (01:55:52):

Yes.

Brenda Bannon (01:55:53):

Okay. Alright. Anything else, RC4, that you think is pertinent to the topics that we've been talking about this afternoon?

RC4 (01:56:11):

I don't have anything else. And I do have a three o'clock.

Brenda Bannon (01:56:13):

Of course. I really appreciate your time. Thank you for being so generous with it and so helpful in response to my questions. I might have some follow-up email questions to you, but if not, be well and do I Kentucky enjoy the transition towards retirement. Take care. It's now 3 0 2. Bye-bye. Bye.

EEO Complaint Continued

Brenda Bannon (00:00:01):

Okay, so we're on the record. According to the computer, it's now 10 24 in the morning on January 14th, 2025. I am Brenda Bannon with a law firm of Ogletree Deacons. I'm meeting remotely on the phone with RC1 [redacted], do I have your permission to audio record our conversation?

RC1 [redacted] (00:00:30):

Yes.

Brenda Bannon (00:00:30):

Thank you so much. So we are conducting this remotely. Again, you on the phone and me on the phone. I don't have anybody in this workspace for confidentiality purposes, so it's completely private. Is that same on your end? There's nobody else in the space that you're in?

RC1 [redacted] (00:00:49):

That is correct.

Brenda Bannon (00:00:50):

Okay, perfect. Thank you. So as I believe you know, I've been retained by Pierce County, specifically the Pierce County prosecuting attorney's office to conduct an independent outside workplace investigation into concerns and complaints that have been raised by RC1 [redacted]. For purposes of just a bit of formality, I will for the most part refer to the complainant as the complainant or RC1 [redacted]. There may be times that I use her name, but ordinarily that's what I'm going to be referring to. So as I believe there are allegations of race and color discrimination, hostile work environment type complaints, complaints of inappropriate behavior towards her disrespect, that may be a part of policy violation and the allegations state back to pretty much the beginning of her employment at the county. Is that your understanding as to why we're meeting today?

RC1 [redacted] (00:02:04):

Yes.

Brenda Bannon (00:02:05):

Okay. And in that regard, my role is to get your side of things and get your answers to my questions. I encourage you to be as truthful and open and forthcoming with me as possible. I remind every witness that I meet with or I try to, that it's important to refrain from engaging in any sort of communications or behavior that could be construed by other people as attempting to pressure or influence their testimony. So I just provide that kind of encouragement or warning, however you want to look at that moving forward to the extent that you will have potentially contact with other county employees still in your retirement. And with regard to other kinds of things that it's important to pay attention to is the county has an obligation to protect folks from retaliation. So there's a policy provision that protects anybody that participates in the investigation to include yourself. So if for some reason, and I don't know what kind of shape or form that could be since you're now retired, but if there were some reason to consider that you are feeling retaliation or you're a witness to somebody else being in a place where they're being retaliated against, I encourage you to bring that to the attention of a Pierce County Human Resources Department right away. Does that make sense?

RC1 (00:03:34):
Yes.

Brenda Bannon (00:03:34):
Okay. Do you have any questions about anything I've said so far?

RC1 (00:03:38):
No.

Brenda Bannon (00:03:39):
Do you have any questions about my role?

RC1 (00:03:42):
No.

Brenda Bannon (00:03:43):
Okay, great. Thank you so much. So RC1, just for the record, it's just good to explain, you're now retired and when did you retire?

RC1 (00:03:55):
December 31st, 2024.

Brenda Bannon (00:03:58):
Okay. So it's all new, right?

RC1 (00:04:02):
Retirement? Yes.

Brenda Bannon (00:04:03):
Yeah. Congratulations. I know. So is a bit of a mixed bag for most people. Does it feel that way for you as well?

RC1 00:04:12):
Yeah, there's some dislocation.

Brenda Bannon (00:04:14):
Yeah. Yeah. Okay. Well good luck with all of that. You were the, go ahead and state your title at the time that you separated.

RC1 (00:04:26):
RC1 .

Brenda Bannon (00:04:31):

And your immediate boss was

RC1 (00:04:35):

RC1 .

Brenda Bannon (00:04:37):

Okay, thank you. And just so you know, some of these questions I may already know the answers to, but I'm just trying to make a good record for you. Okay?

RC1 (00:04:50):

All good.

Brenda Bannon (00:04:51):

Alright. So how long did you have that particular title before you retired?

RC1 (00:05:03):

Well, it started off as just RC1 the first several months, maybe even a year. And then something came up where there needed to be a signature and there had to be a RC1

RC1 (00:05:19):

Who

RC1 (00:05:20):

Could executed. And so he said, well, you'll be the RC1 . And that was several months or maybe a year later where RC1 was added.

Brenda Bannon (00:05:32):

Okay. So how long have you had those two functions?

RC1 (00:05:37):

For at least seven years.

Brenda Bannon (00:05:38):

Okay.

RC1 (00:05:39):

With one of the functions RC1 from day one.

Brenda Bannon (00:05:43):

Okay, perfect. And how long, so did you come to the county with that role or did you have a different role before that?

RC1 (00:05:54):

Say that again please?

Brenda Bannon (00:05:55):
Were you hired by the, in that role or did you have a different role before that?

RC1 (00:06:00):
I did not have a different role before. I had a different role before that had worked for the state.

Brenda Bannon (00:06:08):
Okay. But at the county, did you have any employment at the county before that? No,

RC1 (00:06:12):
No County association prior to that.

Brenda Bannon (00:06:15):
Okay. And what did you do for the state?

RC1 (00:06:20):
What I did for the state for a year was to be an assistant to RC1 , RC1 .

Brenda Bannon (00:06:27):
Okay.

RC1 (00:06:29):
Which I didn't for one year.

Brenda Bannon (00:06:31):
Alright. Did you work for the state prior to that?

RC1 00:06:37):
Many years prior to that? Prior to the work with RC1 , I worked in private sector for about 17 years. Before that I was RC1 . Before that I was a state representative.

Brenda Bannon (00:06:54):
Okay. And what did you do in the private sector?

RC1 (00:07:00):
Private equity, RC1

Brenda Bannon (00:07:03):

Okay. Alright. Okay. Thank you so much. And in your role as the RC1 r for Pierce County, how many people directly reported to you?

RC1 (00:07:23):
Well, initially it was about 20 because it was all the executive staff and the department directors about a dozen of each. After about two or three years, I suggested to Bruce that was too many reports and so he appointed a RC1 to be responsible for and have the executive staff report to him.

Brenda Bannon (00:07:58):
Alright. So what year did RC1 assume that role?

RC1 (00:08:11):
I don't know, six years ago, 5, 6, 7 years ago. It happened right away.

Brenda Bannon (00:08:18):
That's okay. And was he RC1 at the time or was he promoted to RC1 to assume that responsibility?

RC1 (00:08:27):
Say that again.

Brenda Bannon (00:08:29):
At the time the executive staff began to report to RC1, was he already the RC1? No. Okay, so tell me about that.

RC1 (00:08:44):
I don't remember what his title was. Okay. He was RC1.

Brenda Bannon (00:08:51):
Okay. So was that a

RC1 (00:08:53):
Policy? Policy analyst. But like I say, I don't remember his specific title.

Brenda Bannon (00:09:00):
Alright, so that was a promotion?

RC1 (00:09:04):
Oh yes, definitely.

Brenda Bannon (00:09:07):
Okay. So how many people started to report to him at that point?

RC1 (00:09:12):

About 10 or so. It was a little bit odd that he was the RC1 to him. Ostensibly I would report and I was a deputy executive to him. He would presumably report, but it worked out just fine.

Brenda Bannon (00:09:28):

Why do you mean it was kind of odd?

RC1 (00:09:31):

Well, I was his boss and he was my boss.

Brenda Bannon (00:09:36):

You and RC1

RC1 (00:09:37):

In terms of a flow chart, we worked together, we were a team. I didn't really care about titles. That's why when you asked me about titles, I know mine and the executives. Other than that, I really didn't care.

Brenda Bannon (00:09:55):

Okay. On a organizational chart, you were at the same level? Is that what you were describing?

RC1 (00:10:04):

I cared even less about organizational charts, so I don't remember

Brenda Bannon (00:10:16):

Anybody

RC1 (00:10:16):

Saying you report to him and you report to him and he reports to you. We just worked together.

Brenda Bannon (00:10:23):

Okay. So who did you continue to have as people that directly reported to you after RC1, he took his role.

RC1 (00:10:33):

Department directors.

Brenda Bannon (00:10:35):

Okay.

Brenda Bannon (00:10:44):

All right. Thank you. That's helpful. Alright, so the complainant in this matter, RC1 [redacted], she reported directly to you, is that correct? Yes. Alright. At a high level, how would you describe your working relationship?

RC1 [redacted] (00:11:05):

Well, I was involved in recommending her appointment by the executive, was involved in the process by which she was hired and made a recommendation that in fact she be the one appointed and she reported directly to me. And we met, I think regularly, but I don't know how regular that was. Once a month or once every two weeks.

Brenda Bannon (00:11:36):

Okay.

Brenda Bannon (00:11:44):

So what was your involvement in her hiring process besides making the recommendation for her to be hired and appointed to a role?

RC1 [redacted] (00:11:52):

We had a very extensive recruitment process conducted by the staff of the Department of Human Resources, which included national outreach and the HR staff conducted initial reviews and in the herd down to eight or 10, and then it was further reduced by several participants from the executive office or hr. My memory is, I don't think I was involved in that specific section of it or part of the process, which would've been probably because I was doing other work and they narrowed it down to three, four, or five people. And that came to the executive team leadership including me. And we then submitted three, I think to Bruce executive. And in the course of the discussion, Bruce would always ask for options, implications, and recommendations. And different members of staff had different preferences and I recommended it be RC1 [redacted] There were others who agreed. There was nobody who said any one of the three was bad. So it was a question of who would we think was best qualified and best field.

RC1 [redacted] (00:13:44):

It

RC1 [redacted] (00:13:44):

Was my contention that she was the best qualified.

Brenda Bannon (00:13:50):

Alright. And at a high level, how would you describe how the clerk has performed in her role?

RC1 [redacted] 00:14:05):

I think she's done exemplary work.

Brenda Bannon (00:14:09):

And how so?

RC1 (00:14:11):
She's implemented significant improvements in management and operations, but we found out when she became the director was that I should have conducted a review, a management review of the operation. I didn't, it was one of those semi no problems. I asked no questions, had a lot to do, but she determined that there were significant deficiencies and she ran into a significant opposition and resentment by several staff people. She was a change agent, we needed a change agent. They didn't like it. So they left several of them and many of them went to work in the court branch of government where they had established relationships.

Brenda Bannon (00:15:27):
Is working in superior court you mean?

RC1 (00:15:31):
Yes.

Brenda Bannon (00:15:35):
With their new boss being Chris Gaddis.

RC1 (00:15:40):
Yes.

Brenda Bannon (00:15:44):
What's the relationship there

RC1 (00:15:48):
Between who,

Brenda Bannon (00:15:50):
Well, you said many of them went to work to Superior Court where there were some relationships. So what

RC1 (00:15:55):
Relationships? Just longstanding personal relationships.

Brenda Bannon (00:15:59):
Okay. Alright. And the people that come to mind that left after the complainant assumed her position. Who are those people? Can you think of their names?

RC1 (00:16:18):
Oh, RC1 left. She did not take a job with the county to the best of my knowledge. Oh, you're taxing my memory. There was a woman who was responsible for outreach. I can't remember her name right now. There were two or three who left.

Brenda Bannon (00:16:45):

Okay.

RC1 (00:16:48):
RC1 was one of them.

Brenda Bannon (00:16:49):
Anybody else come to mind?

RC1 (00:16:51):
What's that?

Brenda Bannon (00:16:52):
Anybody else come to mind?

RC1 (00:16:54):
Well, if you give me time, I'll think of their names.

Brenda Bannon (00:16:56):
Sure. And why did RC1 leave or do you know why RC1 left?

RC1 (00:17:03):
Well, I never talked to RC1 so I don't know specifically.

Brenda Bannon (00:17:06):
Okay. Do you know whether there was an exit interview?

RC1 (00:17:13):
I don't remember there being an exit interview, but there may have been. I don't know.

Brenda Bannon (00:17:18):
Okay. So when you say that there were improvements be made in management operations and the complainant identified significant deficiencies, are you able to tell me at a high level what those deficiencies were?

RC1 (00:17:37):
Poor record keeping, inadequate adherence to state auditing standards, artifact collection, storage management, hiring process.

Brenda Bannon (00:18:02):
Okay.

Brenda Bannon (00:18:10):

Okay. Now, at some point along the way, did the complainant bring to your attention concerns that she had with regard to the way her staff were treating her?

RC1 (00:18:25):

Yes, it was. It was a sustained constant concern that she asked about lack of support, appreciation, and commitment to improving practices. They were accustomed to doing it their way and preferred that no one disrupt their way of operating.

Brenda Bannon (00:18:52):

She

RC1 (00:18:52):

Was changing it. They didn't like it. Some of them, not everybody. Careful.

Brenda Bannon (00:19:00):

Sure.

Brenda Bannon (00:19:10):

And as her immediate supervisor, did you provide any recommendations to her or support or interventions in any fashion when she brought concerns to your attention?

RC1 (00:19:28):

I avoid intervention when she would ask questions and I would, and Bruce and I, when we would meet with her, he would meet with her on occasion. I would meet with her frequently support, have her explain what she was doing, problems she was encountering, and let her know that she should in fact persevere. She should not relent, she should in fact impose proper standards and management practices. And she went into some detail about them from time to time. And so I was a strong opinion that she was doing what was appropriate and there was resistance, which was understandable. We were, what's that phrase, moving somebody's cheese. And that was probably most notable when I had a meeting. Several of us had it from the executive office with three or four assistant deputy prosecuting attorneys, including Michelle Luna, where she expressed concern that the conflicts and the disruptions and concerns by staff at the clerk's office were in fact the fault of an attributable to bad behavior and inappropriate behavior of RC1 . So I challenged her and I said, I'm more than happy to impose sanctions if somebody has done something inappropriate, can you tell me what she has done that's inappropriate. There was no answer.

Brenda Bannon (00:21:16):

So help me out there. There was a meeting at the deputy prosecuting attorney's office and who was

RC1 (00:21:23):

There? There was a meeting in the executive office.

Brenda Bannon (00:21:26):

And who was in the meeting?

RC1 (00:21:30):

Michelle Lumina, the deputy prosecuting attorney for the clerk's office. And then another woman whose name I've forgotten at the moment. And the deputy prosecuting attorney who works with the clerk's office agreed with Michelle. But the third prosecuting deputy prosecuting attorney said nothing for whatever reason. The point was, I said, give me a reason to impose my management decisions on her and or her sanctions and it'll get done. Nothing was said. I was angry and nothing was said. And nothing ever was said.

Brenda Bannon (00:22:22):

Okay. So I know I'm very, very familiar with all of your staff, your former staff and the organizational structure. I've been hired as an outside attorney because I'm not at all enmeshed or familiar with Pierce County. So Michelle Luna, who is she?

RC1 (00:22:46):

Deputy prosecuting attorney. She's now with the retirement of her former boss, which he retired in August or so last year. She was the number two person in the civil division. She was high ranking and even higher ranking now.

Brenda Bannon (00:23:09):

Okay. And was she the one that was doing the talking at that meeting?

RC1 (00:23:14):

Yes.

Brenda Bannon (00:23:16):

And please articulate for me what the issue was that set the stage for the meeting.

RC1 (00:23:22):

That's what's interesting. I don't remember the meeting was not scheduled to discuss the clerk's office. We would have frequent meetings with prosecuting attorney and or deputy prosecuting attorneys, and I don't remember that this was the topic of the reason for the meeting. I think it was added at the end of the meeting, which was also part of the source of my consternation.

Brenda Bannon (00:23:56):

Okay. And what's your best recollection of what was said in terms of any criticism of RC1 ?

RC1 (00:24:07):

It was generic, which is what prompted me to say, give me a specific it. Was there something along the lines of there's a lot of consternation, a lot of disruption, a lot of unrest, a lot of unhappy people. I'm paraphrasing here. **A lot of unhappy people.** And the problem is really attributable to the director. And that's when I said, give me specifics.

Brenda Bannon (00:24:37):

Okay. Did it come up again?

RC1 (00:24:41):
No. To be fair, my tone of voice in the words that I said were pretty obvious door closers. If you had something specific come to me, you don't have anything specific, stay on your side of the

Brenda Bannon (00:24:57):
Line. Okay.

Brenda Bannon (00:25:03):
And so of the three people in that meeting, you only remember Michelle?

RC1 (00:25:10):
No, well, no. There were two others. One of them was, and probably still is the deputy prosecuting attorney for RC1 I don't remember his name. I've only been his presence a couple times. And then another person, deputy DPA high ranking, and I just can't remember her name right now. I didn't deal with her that much.

Brenda Bannon (00:25:39):
Two female prosecutors and one male prosecutor?

RC1 (00:25:43):
Yes.

Brenda Bannon (00:25:45):
Okay.

RC1 (00:25:47):
One of whom is identified. Michelle Luna, one of whom is easily identified because of his role as the DPA for the department. And then the other one who her primary responsibility. The third one is historically with the county council.

Brenda Bannon (00:26:08):
Okay.

RC1 (00:26:09):
I just don't remember her name right now.

Brenda Bannon (00:26:11):
Got it.

Brenda Bannon (00:26:26):
So at some point along the way, did the county clerk bring to your attention concerns that she was being treated differently by her staff because of her race or color?

RC1 (00:26:45):
Y .

Brenda Bannon (00:26:46):
Do you remember when that happened?

RC1 (00:26:48):
Oh, numerous conversations.

Brenda Bannon (00:26:52):
Do you remember the earliest time?

RC1 (00:26:57):
I don't. They all melt together. I had many conversations.

Brenda Bannon (00:27:04):
Do you remember the first time it came up and what the topic was?

RC1 (00:27:12):
No, it was probably prompted as it often was by a specific instance of what she deemed lack of support or insubordination or inappropriate behavior associated with a meeting, a discussion, any issue.

Brenda Bannon (00:27:36):
And did you take notes when you met with her?

RC1 (00:27:40):
No.

Brenda Bannon (00:27:42):
Is that not your style?

RC1 (00:27:44):
That's not my style.

Brenda Bannon (00:27:46):
Did you in those early days suggest to her that she should bring her concerns to the attention of the folks in the Pierce County organization that address and investigate race and other kinds of discrimination?

RC1 (00:28:19):
At some point I said buried in a conversation, of course she has the right to file a complaint. That's my memory. I didn't say meet or talk to somebody, that she had the right to file a complaint.

Brenda Bannon (00:28:39):

Okay. And what was the response when you brought that up?

RC1 (00:28:46):

Well, as it was in numerous other conversations, she said, other than RC1 statement about something along the lines of, gee, when I met you RC1 I didn't think I would like you because you were black that I came to the realization you weren't all that bad other than that statement, which was clearly racist in its nature. **She said, there's nothing anyone has said or done that's clearly racist on its surface. It's just an accumulation of responses, actions that collectively indicate there must be a common attribute for all of this.** And that common attribute is probably in part influenced by racism. But I did ask her on a number of occasions, is there anything specific and would always, the rejoinder would always be, there's nothing specific. It's just a bunch of people, my words, not hers, A bunch of people who are dedicated to my failure and the failure of the office and maintaining the status quo, which is not appropriate. I would say that's where we are. Your job is to make this place run correctly. She said, well, I run into opposition every day, not by everyone. In fact, she was quite clear repeatedly that there were a number of people in the office who seemed to appreciate her work and did not appreciate the attitude of the detractors. And so I would constantly or consistently reinforce her that you need run to the light.

(00:30:37):

My words, not hers, but

(00:30:39):

I'm not sure I use those words, but work with the people who are with you and work around or overcome or deal with the people who aren't. Her attitude was my words, not hers. I can't tell you RC1 other than RC1, that anyone has said anything that is specifically racist in nature. But if you put all the things they do into a bucket and you say, now what would cause that? She would say, it looks like it could easily, easily be interpreted as racism. And I said on at least a couple of occasions could very easily be interpreted as, I just don't like you because you are moving my cheese. You are imposing standards that have not previously been imposed. I said, so we need to exhaust that recourse. Keep working on that.

Brenda Bannon (00:31:40):

Okay. So RC1, is he one of the people that you were referring to earlier that left?

RC1 (00:31:49):

Yes, he was. I can easily be corrected and probably will be, but he was either sanctioned or terminated by RC1 I think sanction was imposed for performance. There were some things done down there by staff that were just hard to believe. So she went to HR and said, I want to sanction this guy. And they said yes. I think the problem was that he used public resources to harass a citizen, a woman's just completely out of line.

Brenda Bannon (00:32:36):

Are you remembering accurately or are you just trying to remember something?

RC1 (00:32:43):

That's my memory.

Brenda Bannon (00:32:44):
Okay.

RC1 (00:32:47):
That that some woman had come in and said she had an order of a restraining order,

(00:32:59):
And she was distraught as I remember it being conveyed to me. She was distraught and he was trying to be nice to her, and in an effort to be nice to her, he got her home phone number, called her and said he would be happy to get together with her. And she got distressed and called somebody and said, what in the world's going on here? So we found out about it and she, RC1 wanted to impose a sanction on him for that. And I can't remember if it was a week off without pay or actual termination, but it resulted in him having a loudermill presentation to me.

Brenda Bannon (00:33:50):
Are there records or notes of that?

RC1 (00:33:52):
Yes. Yeah. Yes.

Brenda Bannon (00:33:55):
So tell me about that.

RC1 (00:33:59):
Well, he contested it, which was his right because it was covered by a union and he ended up, if I remember correctly, he ended up resigning because that was the best way for him to not expose the record. I think that was part of the deal.

Brenda Bannon (00:34:24):
Do you know where he's working now?

RC1 (00:34:27):
What's that?

Brenda Bannon (00:34:28):
Do you know where RC1 is working now?

RC1 (00:34:30):
Yes. He works for the Superior Court.

Brenda Bannon (00:34:34):
And how did that happen?

RC1 (00:34:40):
It is a reasonable inference that Superior Court was very involved, including Chris Gaddis in determining who was hired and who did what work in the clerk's office.

Brenda Bannon (00:34:57):
Okay.

RC1 (00:34:58):
When he got hired, everybody who was aware of that situation that you got himself into for Not one of us could understand how in the world he could have been hired.

RC1 (00:35:14):
Okay.

RC1 (00:35:17):
Other than just a blatant, we want to do this. He's a friend of a friend.

Brenda Bannon (00:35:21):
Okay. So tell me about the Loudermill hearing though. What did RC1 say in the Loudermill hearing?

RC1 (00:35:29):
Well, I kept waiting and I kept asking him for specific rejoinder, is this not, is this assertion not true? And he never gave any information or testimony that was explicit or specific efficient to override or amend or revise or rebuke the recommendation of RC1 wrote a memo on it. I can't remember if it was very long. It just didn't have any substance to it. His response, he mostly emphasized that he was a good guy. He didn't mean to do that. He saw the error of his ways. I go, well, okay, you saw the errors of your ways, so you're kind of admitting guilt and now you want to be because you admit guilt left unsanctioned. It was a hurdle. I wasn't willing to clear whether it was in the clerk's office or anyplace else. And I think he was unemployed for about a year.

Brenda Bannon (00:36:49):
Okay.

Brenda Bannon (00:36:54):
So you made a reference to a statement in passing when we were talking about a number of things that I want to revisit regarding RC1 . The statement you made was something like, I don't like you, you're black. Where did that come from?

RC1 (00:37:14):
That came from RC1

Brenda Bannon (00:37:16):
When?

RC1 (00:37:21):
I don't know, but I'm sure RC1 would tell you.

Brenda Bannon (00:37:24):
But my question is when you first heard about it,

RC1 (00:37:29):
I don't recall.

Brenda Bannon (00:37:32):
Was it in the first year, a second year, third year?

RC1 (00:37:39):
I would say it was probably in the first year.

Brenda Bannon (00:37:51):
So there's kind of a couple of different things, and I'm going to try to distill some of this. It sounds like a number of times you had conversations with RC1 where she was describing what she believed to be intransigence or disrespect or mistreatment by her staff that she thought could potentially be race or other kinds of discrimination or harassment. But in particular, there was a statement made by RC1 where he said, I don't like you because you are black. Do I have this right?

RC1 (00:38:32):
I thought I wouldn't like? What she said to me is towards the effect of, gee, RC1 I thought I wouldn't like you because you're black. And then there's a second part of that that she said or attributed to him, but gee, now that I'm here and gotten acquainted with you, I don't think you're all that bad or something of that nature. She's the only one who reported that to me. He never said anything about that to me. I never asked him about that. And I think that probably triggered me to say, you obviously can file a complaint me EO complaint. My sense was, and I'm not sure if she said this, my sense was she didn't want to pull that chain. She repeatedly said, I didn't come here to take advantage of my race, so I'm going to exhaust every recourse before I say or do anything. She considered it to be potentially more disruptive than beneficial. That's my interpretation of her approach. And I said that repeatedly to Bruce that she was antagonistic to filing complaints that's stronger than simply chose not to. I explained to her she could and she chose not to.

Brenda Bannon (00:40:21):
Okay.

Brenda Bannon (00:40:36):
Did you bring the concern to the attention of human resources?

RC1 (00:40:48):

Probably. I don't remember specifically, but I was pretty close with RC1 on all HR issues. So I probably did. But that all crystallized at a meeting of a work group, which RC1 and RC1 and RC1 were members. And according to RC1 and RC1 RC1 said something used more explicit terms and said something along the lines of There is racism.

Brenda Bannon (00:41:34):

Okay.

RC1 (00:41:34):

I was not at that meeting. I talked to her RC1 about that. But RC1 and RC1 had a separate conversation or conversations with her, so you'd have to get that from them.

Brenda Bannon (00:41:53):

Are you talking about the diversity equity inclusion committee?

RC1 (00:41:57):

Yes.

Brenda Bannon (00:41:58):

Okay.

Brenda Bannon (00:42:07):

Okay.

Brenda Bannon (00:42:12):

Did you talk to RC1 to RC1 about that in the aftermath?

RC1 (00:42:22):

Yes. And again, with me, what she said was to sustain what she had said has previously, which is I don't want to use racism as an excuse. The problem is we have a bunch of people, not everybody, and in fact, a number of people who aren't that way at all, who are dedicated to disrupting and or making it impossible to impose prudent and appropriate management standards and operations. And I said, and in a following meeting with Bruce, we both said, we are behind you. And I did tell her at one point, because there were concerns expressed that she would get angry with people.

(00:43:13):

I said, don't get angry, never show anger if somebody says something that you deem inappropriate or unresponsive or they should have said something, they didn't say, come to me, tell me the situation and I will confirm whether or not you have Bruce's in my support or not. If not, we'll explain what the problem is and why not. And if so, you'll know that you can in great comfort without any anger animosity say, this is what is going to happen. This is what you are going to do and why, and here are the sanctions in the event you don't. And you can say that knowing full well that if they say, well, we'll take this to the boss, go right ahead.

Brenda Bannon (00:44:00):

Okay.

Brenda Bannon (00:44:10):

Were there any other examples aside from the statement attributed to RC1 that were more explicit statements of potentially racist or racist animus that come to mind now that I'm asking you about it?

RC1 **(00:44:32):**

No. Repeatedly I've scrubbed my brain a thousand times, probably a thousand times. Were there any other assertions, vague or specific, and I've asked the same thing of Bruce, RC1 RC1 and others. Have you heard her say anything other than that in terms of an explicit assertion? An explicit assertion made only by her, RC1 never validated that.

Brenda Bannon (00:45:11):

Okay.

RC1 (00:45:18):

But to be fair, it's very plausible. He's kind of goofy.

Brenda Bannon (00:45:24):

RC1

RC1 (00:45:24):

RC1

RC1 (00:45:25):

Yeah.

Brenda Bannon (00:45:25):

What do you mean?

RC1 (00:45:28):

I don't know. It just was strange. In the Loudermill meeting, he would wander off into, it went on for an hour and a half and it was just fog. It was like, if I talk enough, they will relent, disorganized. I've had other people say bit of a strange duck, but I've only been with him the one time

Brenda Bannon (00:46:10):

Not met before,

RC1 (00:46:12):

And no contact before and no contact after.

Brenda Bannon (00:46:15):

Okay. Well, by the way, RC1 do you recall a concern that was brought forward by RC1 with respect to when she first was hired that her office was really dirty and nobody had cleaned it for her? In anticipation of her arrival?

RC1 (00:46:36):

Yes, but my memory, she put in that into context that the place was just an absolute mess.

(00:46:43):

It wasn't just her office. She found a desk and a office operation where a woman would come in once or twice a month and do work in the office, and she didn't know who she was. So she came to me and asked, who is that woman? I said, I don't know. So she asked and found out she works for some title company in the private sector and had privileged access to county facilities and equipment. And she said, does that make sense to you? And I said, no, check it out unless there's some contract or whatever. So she changed that and I'll never, when she said, I need you to come down and take a look at our storage area for artifacts and records, it was just right out of Raiders of the Lost Ark, a closing scene where some guys shoving down the hallway of some massive collection of things that were never going to be toted, never looked at again. Just an absolute mess. And I came back, actually, I think RC1 went and looked, first, came back and said, RC1 you need to go down and look at our storage of artifacts and records. I said, yeah, I'll do it. He said, I mean, now RC1 So I went down just absolutely unbelievable.

(00:48:19):

An example, digitization records, electronic records. Apparently at least large County has been digitized for many, many years. There's only one that isn't Pierce County.

Brenda Bannon (00:48:36):

Okay. So with regard to her individual personal workspace, you don't recall that being something that she brought up at all?

RC1 (00:48:47):

Oh, she did. Yeah. She said everything, but she said my office was a mess. Everything was a mess. Okay. It was like I was nothing special. It's not like they went out of their way to dump lint on the floor.

Brenda Bannon (00:48:59):

Okay.

RC1 (00:49:01):

It was just a mess.

Brenda Bannon (00:49:03):

Alright.

RC1 (00:49:07):

It wasn't personal. It was kind of like you got six kids run the house for a week. What do you expect?

Brenda Bannon (00:49:16):

Okay. Hey, what's the Black Collective

RC1 (00:49:24):
In Pierce County?

Brenda Bannon (00:49:26):
Yeah.

RC1 (00:49:27):
It's an organization of African-Americans from all sectors, private sector, public sector churches is, I never interacted with the Black Collective. I'm sure I know some of the people who were in the Black Collective, but never went to a meeting, never participated. Nobody from the Black Collective ever came to me specifically on Black Collective matters.

Brenda Bannon (00:50:00):
Do you know of any reason why Bruce, your boss, would've said to RC1 shortly after her hire that he needed to get her connected up with the Black Collective or something like that?

RC1 00:50:14):
That's very plausible. He probably did. It would make sense that he would say that.

RC1 (00:50:19):
Why?

RC1 (00:50:20):
Why? Because she was black, African-American would be a good idea. Her to establish relationships with people in the community, especially people with whom she has connections including race.

RC1 (00:50:36):
I

RC1 (00:50:37):
Would do the same for Afghanistan and anybody else that has a specific background.

Brenda Bannon (00:50:45):
Okay.

RC1 (00:50:48):
Has that been portrayed as inappropriate?

Brenda Bannon (00:50:52):
Well, the question is, why is her color highlighted with some frequency by allegation?

RC1 (00:51:02):

By allegation? Well, all I know is that I didn't have anything to do with that conversation. Bruce did, apparently. Okay. If he hadn't done that at some point, I probably would've said something like that. Are you making contact with people in the community and with whom you'd have some natural affinity?

RC1 (00:51:21):

Okay.

RC1 (00:51:23):

I mean, for instance, she established relationships with other women directors. Well, it's like the Women's Collective, the small women's collective we had, of the 12 directors, I think nine were women and they in small groups or collectively would get together. And what did they talk about? I don't know.

Brenda Bannon (00:51:56):

Okay. Bruce, can we just take a 30 second pause?

RC1 (00:52:02):

Of course.

Brenda Bannon (00:52:03):

Okay. Thank you. I'll be right back. Sorry about that. I'm back.

RC1 (00:53:25):

The name of the other deputy prosecuting attorney who attended that meeting I've described earlier was Katie Blinn. Oh,

Brenda Bannon (00:53:31):

Thank you.

RC1 (00:53:34):

With a C.

Brenda Bannon (00:53:40):

And what was Catie's complaint? Or was she one of the speakers?

RC1 (00:53:44):

Catie did not participate in the complaint.

Brenda Bannon (00:53:47):

Okay.

RC1 (00:53:49):

It was just the other two. It was just Michelle Luna who made the assertion, and it was the deputy prosecuting attorney from the clerk's office who confirmed and said he agreed with her. That's about all he said. I kept waiting for Catie to say something she didn't, which could have been because she didn't know anything, which could have been because she disagreed. I don't know.

Brenda Bannon (00:54:14):

Okay.

RC1 (00:54:17):

RC1 the woman who wanted the job, the comps [?], and RC1 RC1. Did you give me enough time?

Brenda Bannon (00:54:27):

No, I understand. RC1 left the office.

RC1 (00:54:31):

Yes. When she didn't get the job, she asked for a meeting with Bruce and me and she came in and said that she wanted to have a separate department for her work, which is notifying, it's a pre-release system where you manage people who are released, they have to show up for trial or court proceedings, but unless they pose a threat to the community, they're given support by her team. And there's a team of about three, maybe four people. And she came in and made a case that now that I, RC1 am not able to be the director, I would suggest that I would be the director of a new department of pre-release, to which we said, thank you very much. And when she left, Bruce and I looked at one another and said a department of three people.

Brenda Bannon (00:55:33):

Right. So you turned her down.

RC1 (00:55:36):

She quit and

Brenda Bannon (00:55:37):

Went

RC1 (00:55:37):

To work for the county council.

Brenda Bannon (00:55:40):

Is it for the county council as a whole or for an individual

RC1 (00:55:44):

County council as a whole, I believe.

Brenda Bannon (00:55:48):

Okay. Alright. Thank you.

RC1 (00:55:55):
And I'm not maligning her, she didn't get the job. I think that was appropriate decision. But if there had been 50 people doing that work, I probably would've agreed that it would be appropriate to have a separate department. And she probably would've been a front runner for the position. I was not aware of her being critical of RC1 I don't think RC1 ever said anything about RC1. But then to be fair, she was gone pretty quickly. And to be fair, I was concerned that in her position, working for the county council, that she would be an impediment or a source of irritation questions or whatever. I didn't hear a single thing from anybody directly or indirectly that she could be interpreted as undercutting or being critical of anything that RC1 was doing.

Brenda Bannon (00:56:54):
Okay.

Brenda Bannon (00:56:59):
All right. Was there a time that you started having meetings with RC1, yourself and RC1? Regular meetings?

RC1 **(00:57:13):**
Yes. We, last year or so, we'd have monthly meetings, I believe.

Brenda Bannon (00:57:20):
Okay.

Brenda Bannon (00:57:28):
Do you remember what prompted that?

RC1 (00:57:32):
Well, there may have been other prompts, but primarily it was trying to remit a relationship between HR and RC1 RC1 came from Texas. In Texas, they don't have unions, so regardless of race, she comes up here and looks at a union and goes, everybody sit over there and they go, we don't sit over there. We sit where we want to. We're in the union. And she doesn't understand that it was hard for her to adapt to that, which is understandable. She grew up in a different world.

(00:58:10):
Texas is not Washington. And as a result of that, she would've conflict with the human resources department because the human resources department was an internal operation that had significant responsibility and authority. They could stop things, start things, and came to personnel practices. And Bruce and I would support virtually everything they did. They would come to us and say, here's what we're going to do, thinking about doing, got a problem. We would say no. Even though directors of other departments didn't like it, directors of other departments tend not to like human resources, which is understandable. That's why it exists. And as a result of that, she RC1 would've problems with HR staff, specifically RC1, because RC1 was assigned to many of the tasks that were involved in the court and that in the clerk's office. And she would get angry. And so she'd get angry

at HR, which is, HR is not supportive. And I told her about HRs role and responsibilities, and we have to listen and be careful about deviating from their recommendations. And as a result of that, she was angry with RC1, not personally, but in her position. Got it. RC1 said, why don't we have monthly meetings, the three of us, and try to reestablish knit together

(00:59:53):

And understanding of who's on first and who's on second. Because RC1 just did not have that. It was not in her toolkit. So there were times when she would come in and say, so I got mad because of this, that, and I said, well, you shouldn't have gotten mad, because in fact, they have the right to ask those questions. Now in Texas, they don't have the right to do that, or if they do, they got the right to hit the road.

Brenda Bannon (01:00:23):

Alright. So with regard to ongoing meetings over the last year, between yourself, RC1 and the RC1 were there any other examples besides the RC1 example that were brought up by RC1 where an example of a racist behavior or racially inappropriate comments were made?

RC1 (01:01:12):

I don't remember any.

RC1 (01:01:14):

Okay.

RC1 (01:01:15):

It seems like I would, especially if RC1 was involved after the meeting, she would say, did you hear that? I don't recall anything like that.

Brenda Bannon (01:01:29):

Okay.

Brenda Bannon (01:01:34):

Was there any issue about someone telling RC1 that they weren't going to help her because she was black?

RC1 (01:01:53):

You mean on her staff? No, I don't remember anything like that. But it also doesn't surprise me because there was a lot of animosity. She really had disrupted a very tight knit, interwoven, interrelated subset, the county. Okay. And I don't agree with it, but I can understand their concern. What do you mean everything was going along just fine. We would've parties, we would've break rooms, we'd all do this, we'd all do this. We'd all go to places. My cousin, I got my cousin hired, she's right there next to me. And all of a sudden somebody comes along and says, I don't care about all that. What do you mean you don't care about all that? We've been getting along just fine without you. Okay. Well, yeah, except for things that fallen apart. The big thing, the metaphor I would use is the house go into the first, into the house in the living room, which would be the superior court system. Furniture looks good, carpet's all

clean, it all looks good. But when you go into the kitchen, it's a mess. When you go into the bathroom, it's a mess. You go into the bedrooms, it's a mess. That's really what the situation was. The courts were in fact, in control

(01:03:23):

And everything the staff did was, in essence, worked for the courts. And so Rudy was happy in the courts, but we weren't, the county were not managing appropriately, and they didn't care because that wasn't their job. I understand. So I can see where somebody would say, gee, everything was just fine until you got here. Why would I want to help you do anything? But I don't remember anybody specifically saying that or reporting to me that somebody said that.

Brenda Bannon (01:03:58):

Okay. Do you recall a disruption that happened by a member of the public that was trying to get a document, some raised voices and some effort by the clerk to find out what was going on with this member of the public and not being able to get assistance? Does that ring any bells?

RC1 (01:04:26):

No.

Brenda Bannon (01:04:26):

Okay.

Brenda Bannon (01:04:41):

All right.

Brenda Bannon (01:04:57):

Do you recall coming to your attention, and I don't know whether it did, so let me know if this isn't something you heard, if it never came to your level, do you recall any issue with regard to that high profile murder case with somebody coming to RC1 and asking her opinion what the black community might do in the aftermath of a verdict?

RC1 (01:05:25):

No, I have no recollection of any conversation about that. But to be fair, I could see somebody asking that question.

RC1 (01:05:38):

Why?

RC1 (01:05:41):

Because even I might have some question about, gee whiz, do you have any contacts in the Black Collective or with whatever group of people, and any thoughts, suggestions, concerns? I mean, I can see why somebody innocently would ask such a question. I feel like asking somebody who's a big football fan, who should I bet on this weekend?

Brenda Bannon (01:06:17):

Okay.

Brenda Bannon (01:06:32):

Do you recall an issue with regard to RC1 RC1 trying to figure out some financial reconciliation issues and going to RC1 to seek his assistance and that being refused?

RC1 (01:06:50):

Yes. My memory is that RC1 did not initiate. That contact was made to my knowledge by RC1 . And he knew RC1 quite well. And he approached, if I remember correctly, he approached the woman who is the boss of the district court staff, and she said, gee whiz, sure we've got time. You could use his brain in capacity to help straighten out the records. And so she apparently went to RC1 and asked, and he said, not interested, not going to do it. He subsequently moved to keep in mind the superior court, and he just flat refused to provide any support, even though his superior, his boss said at capacity and the ability to do it in the time. And he just said, no. That's what she ended up having to put up with. Just go to hell, I don't like you to hell with the county, tell with what's best for the people of the county. I just don't like you.

Brenda Bannon (01:08:21):

Why was he allowed to say no?

RC1 (01:08:26):

Well, he was working for a different branch of government. I did not have any authority to direct him.

Brenda Bannon (01:08:30):

So he was at Superior Court at that time?

RC1 (01:08:33):

No, he was at district court. So yeah, I had no control. Bruce didn't have any control of it, and his boss was the best of my knowledge, was reported to me, was flabbergasted and was very concerned about that kind of attitude. And it did not come as a surprise that within two or three months he had moved over to the Superior Court.

Brenda Bannon (01:09:02):

What was his boss's name?

RC1 (01:09:06):

Oh, you keep asking me names

Brenda Bannon (01:09:08):

So rude of me.

RC1 (01:09:10):

It is. And I'm making a note of it. She's the staff director for district course. Easy to find it.

Brenda Bannon (01:09:21):
Okay. And

RC1 (01:09:22):
If you give me enough time,

Brenda Bannon (01:09:23):
It'll come. The other names. I get it. I'll

RC1 (01:09:25):
Think of it.

Brenda Bannon (01:09:26):
Yeah. Okay. No worries. Okay.

RC1 (01:09:34):
But that's a classic example of exactly the problem she was having. Oh, you want me to do something? Sure. I'll just do it real slow.

Brenda Bannon (01:09:48):
Okay. Was there a point in time where when Prosecutor Miranda was hired, and you suggested to the county clerk that she might be comfortable talking about these issues with Ms. Miranda?

RC1 (01:10:07):
Who's Miranda

Brenda Bannon (01:10:09):
Treja or Reha? Miranda.

RC1 (01:10:14):
Oh, she was a new deputy prosecuting attorney. I met her in a meeting. And so what is your question?

Brenda Bannon (01:10:27):
Did you suggest to the county clerk that she might be comfortable meeting with the new deputy prosecuting attorney, Ms. Miranda?

RC1 (01:10:39):
No, I never said anything like that. But if I remember correctly, it was attributed or some of the words were attributed to the RC1 . RC1

Brenda Bannon (01:10:51):
What do you mean?

RC1 (01:10:53):

Well, my memory is that somebody told me, and it might've been RC1 who said, I told RC1 that this new deputy prosecuting attorney is very bright, very good, and you may want to make contact with her because she may not be of the same opinion as Michelle Dun and others because she's new, an outsider.

Brenda Bannon (01:11:21):

Okay.

RC1 (01:11:25):

And apparently bright, according to RC1, like I say, it's tr

Brenda Bannon (01:11:32):

Thank you

RC1 (01:11:32):

Was with her. I never met with her separately. She was in a meeting at some point and I don't even know what the subject was.

Brenda Bannon (01:11:41):

Okay, got it.

Brenda Bannon (01:12:06):

So is it possible that you echoed RC1 thoughts about the benefit of meeting with and communicated that to RC1 in a meeting?

RC1 (01:12:21):

No, I never said anything of that nature. I didn't know Tre, I say I met with her as part of a group. I don't even think it was the same issue. I don't think had to do it may have had something to do with RC1 We had so many conversations, but no, I never said anything to RC1

Brenda Bannon (01:12:42):

Okay. Alright. Did the subject matter of...

RC1 (01:12:49):

I'll add to that I don't trust the office, the prosecuting attorney's office? What do you mean? So I never recommended anybody talk to anybody in the office.

Brenda Bannon (01:13:05):

What do you mean by that?

RC1 (01:13:07):

Because they're not, well, I say our, the executive, they're not the executive's attorney.

Brenda Bannon (01:13:14):

RC1 (01:13:14):
There's no attorney-client privilege. They're just staff. They say whatever the hell they want to say.

Brenda Bannon (01:13:23):
Okay.

RC1 (01:13:27):
And if there's any question, they deem the counsel to be the county so they can say whatever they want to us and it doesn't matter. And there's no attorney-client privilege.

Brenda Bannon (01:13:43):
Got it. Do you recall whether or not RC1 brought to your attention a feeling of that her staff were engaging in mobbing with regard to their behaviors towards her?

RC1 (01:14:05):
Did you say lobbying?

Brenda Bannon (01:14:08):
I said M-O-B-B-I-N-G, mob Mobbing.

RC1 (01:14:16):
Okay. So say that again.

Brenda Bannon (01:14:19):
That RC1 brought to your attention that she felt like her staff were engaging in a behavior referred to as mobbing.

RC1 (01:14:31):
No.

Brenda Bannon (01:14:32):
Okay.

RC1 (01:14:35):
What would mobbing look like?

Brenda Bannon (01:14:37):
That's okay if it wasn't used with you. That's fine. I just wanted to know if she used that term.

RC1 (01:14:43):

No.

Brenda Bannon (01:14:43):

Okay. Thank you. At any point along the way, did RC1 ask you to help her get anybody fired?

RC1 (01:15:16):

Not that I recall. For people she didn't like wanting to get rid of, but I said, that's have to follow HR protocols

RC1 (01:15:26):

And

RC1 (01:15:26):

Book exhaust free courses. Most of the people she wanted to leave wanted to leave anyway. And there's a very definite demarcation between existing and new employees and older employees and or former employees on the other side.

Brenda Bannon (01:15:59):

Do you want to elaborate on that?

RC1 (01:16:05):

There's no question in my mind that she's increasingly popular with a lot of people in the clerk's office for doing exactly what she's doing. And then there are people who don't like it at all, many of whom have left.

Brenda Bannon (01:16:23):

So are you saying with the newer employee she's more popular?

RC1 (01:16:27):

Yes.

Brenda Bannon (01:16:27):

Okay. And what do you attribute that to?

RC1 (01:16:39):

I think there were a number of people who knew that the places being run by relatively few people and they weren't doing the right work. And as soon as RC1 came in, there was a prospect of doing it right. But they were very nervous because you never knew how long RC1 might be there. Will RC1 RC1 walk down here and fire her and then it will refer to the old way of doing business, or there'll be an election in this last November and she'll be gone and it will revert. So there was understandable tension on the part of people who liked the changes she was making, but unsure if those changes would stick and if they would be caught in the backwash. Oh, so you were a supportive RC1 Well, now you're gone.

Brenda Bannon (01:17:30):

Okay.

Brenda Bannon (01:17:39):

Do you know who RC1 is? I,

RC1 (01:17:50):

No. You'd have to give me more information.

Brenda Bannon (01:17:53):

That's okay. I was curious if it was someone that was kind of at the top of head, but sounds like No. No. Okay. Who off the top of your head are people that, I just want to make sure I have an understanding of the full population. Who are some of the people that off of the top of your mind, left the clerk's office and are now working at the Superior Court?

RC1 (01:18:26):

Oh, RC1 quit. She did not go to work in the Superior Court. RC1, and I think there are at least one or two other employees moved. One moved just a few months ago. The impression I get is that now that she's been reappointed or retained, there will probably be, with any luck, two or three others who leave, but they have to wait for openings in the Superior Court staff.

Brenda Bannon (01:19:14):

Where does RC1 work now?

RC1 (01:19:16):

I don't know. I don't know that she does. I just don't know. I'm just sure she does not work for the county. I would know. Somebody would tell me that.

Brenda Bannon (01:19:29):

So I understood RC1 was rehired by the county. I didn't understand that he's working in the Department of the Superior Court. Is that true? That

RC1 (01:19:39):

Is true.

Brenda Bannon (01:19:40):

Okay. Not with the prosecuting attorney's office?

RC1 (01:19:47):

Correct.

Brenda Bannon (01:19:48):

With

RC1 (01:19:48):
The Superior Court.

Brenda Bannon (01:19:50):
Okay. All right.

Brenda Bannon (01:20:08):
Did at some point the county provide some support for the county clerk in the form of a job coach or someone like that?

RC1 (01:20:20):
Yes.

Brenda Bannon (01:20:21):
Can you tell me about that?

RC1 (01:20:24):
RC1 suggested that RC1 have contact with a coach. I don't know if that person was put on a contract or if she did it herself separately, but RC1 suggested that she has someone who isn't with the county. Not RC1. Not Bruce Dammeier, just somebody who doesn't have anything in the game. Just you. And I remember she asked me, I thought that was okay. I said, I think it's a great idea as long as you get, as long as she gets somebody who's good. There are a lot of people out there who are not good, but the concept is good. And apparently there was someone, my memory is subsequently, every once in a while I would ask, there would be a flare up and I would ask someone, probably RC1 as she'd been seeing her coach. And there were times when RC1 would say, I don't think so, or I know she hasn't. So there was, I dunno if she didn't do it or did it and just didn't tell anybody. I don't know. I never, I never, that topic never came up in a conversation between RC1 and me.

Brenda Bannon (01:21:45):
So that was going to be my question. Did you ever do a check-in with her to see how it was going?

RC1 (01:21:50):
No. I left that as a, it wasn't a county employee. It wasn't a county contract. It's her business.

Brenda Bannon (01:21:58):
Okay. Fair enough. Thank you. In your time, in your role over the last three years working with and around RC1, did you hear anybody make any racial slurs towards her?

RC1 (01:22:22):
No

Brenda Bannon (01:22:23):
Racial jokes towards her?

RC1 (01:22:29):
No.

Brenda Bannon (01:22:30):
Racially pejorative images brought to your attention regarding RC1 ?

RC1 (01:22:39):
No. If I was aware of any of that, I would've jumped on that.

Brenda Bannon (01:22:45):
Okay. Even with regard to information that you received, second or third hand vis-a-vis what was happening in the clerk's office, did anything like that get brought to your attention?

RC1 (01:23:01):
No. Again, if I caught any of that happening, a ton of bricks. Okay.

Brenda Bannon (01:23:13):
Okay.

Brenda Bannon (01:23:18):
Were there times when you were meeting with RC1 and talking about some of the challenging issues she was facing with her staff or with operations or with procedures trying to make improvements where she was tearful?

RC1 (01:23:35):
Oh yes.

Brenda Bannon (01:23:36):
Did that happen very often?

RC1 (01:23:39):
Yes.

Brenda Bannon (01:23:41):
Can you tell me a little bit more about what that means? Yes, yes. Or how frequently that was?

RC1 (01:23:51):
Well, we met a lot, so it wasn't every time, but there would be times when it was, and she would feel as though the world was up against her. Okay. And when that happened, she subsequently said that she would talk to her mother and I had met her mother on her two occasions in the office, and her mother would advise her to take a dose of RC1

Brenda Bannon (01:24:28):

What does that mean?

RC1 (01:24:30):
That meant was you have support, you have all the support you need, you just need to make sure that you're doing what RC1 says or where's that effect. If RC1 says it's a problem, you need to change something, you probably need to change it.

RC1 (01:24:48):

RC1 (01:24:48):
He says You're good to go and you're explicit with him and Bruce, then you've got the boss behind you.

(01:24:57):
Okay.

RC1 (01:24:58):
So you can sleep well even though your stomach's going to churn, even though somebody's behind you. Okay. You're not going to be undercut.

(01:25:09):
Alright.

RC1 (01:25:09):
Said that to her repeatedly. And she referred to that in our last director meeting.

Brenda Bannon (01:25:19):
Okay. Did you feel as though she felt supported by you?

RC1 (01:25:31):
I have no reason to believe otherwise. All I would suggest is we talk to her and or talk to Bruce or other like RC1 and other directors were women especially. I don't know that she was tight with all the women, but every once in a while I would pick up where she had lunch with somebody.

Brenda Bannon (01:26:00):
Okay. Who was Jody Ferguson?

RC1 (01:26:08):
Jody Ferguson was the director of the Department of Emergency Management.

Brenda Bannon (01:26:14):
Did you say risk management?

RC1 (01:26:16):

Emergency management.

Brenda Bannon (01:26:17):
Oh, thanks. She's now retired.

RC1 (01:26:21):
Yeah, she retired in October.

Brenda Bannon (01:26:24):
And who was Diane Clarkson.

RC1 (01:26:37):
Well, I'm familiar with the name and I can't place her.

Brenda Bannon (01:26:40):
That's okay. And what about Kelvin Brown? Who? Kelvin Brown.

That's okay. Was there a time where it was brought to your attention that RC1 or RC1 were trying to meet with RC1 as a part of an investigation and RC1 didn't want to meet with them?

RC1 (01:27:41):
Are you there?

Brenda Bannon (01:27:41):
I am. We got temporarily disconnected. The name that I mentioned was Kelvin Brown.

RC1 (01:27:51):
Say that again.

Brenda Bannon (01:27:52):
K-K-E-L-V-I-N. Brown.

RC1 (01:27:57):
One more time.

Brenda Bannon (01:27:59):
KELV. And last name Brown.

RC1 01:28:06):
I'm not familiar with that person.

Brenda Bannon (01:28:08):
That's fine.

RC1 (01:28:09):

Diane Clarkson. I know Diane Clarkson. I'll have second. Obviously not Well.

Brenda Bannon (01:28:14):

That's fine. Was there a time where you were aware that there was one or more investigators trying to meet with RC1 as a part of an investigation and they were having difficulty getting her to cooperate?

RC1 (01:28:32):

Yes.

Brenda Bannon (01:28:33):

Did you talk to RC1 about that?

RC1 **(01:28:39):**

Yes. I told her that she had the right to have that conversation and she had the right to not have that conversation. It's her choice.

RC1 (01:28:47):

Okay.

RC1 (01:28:48):

She would ask, is that something that I have to do? I said, I don't think anybody in these words calls these words. I'm not an attorney. I can't give you legal advice, but I don't think anybody could force you to engage in any interview if you don't want to.

Brenda Bannon (01:29:06):

Okay.

RC1 (01:29:09):

But you have the right, and you can have that right at any time.

Brenda Bannon (01:29:12):

Yeah. And have you, or did you, after that particular meeting, the DEI,

RC1 (01:29:27):

Diane Clarkson is a deputy prosecuting attorney.

Brenda Bannon (01:29:30):

Ah, okay.

RC1 (01:29:31):

Retired.

Brenda Bannon (01:29:32):
Okay.

RC1 (01:29:33):
African-American woman.

Brenda Bannon (01:29:34):
Okay.

RC1 (01:29:35):
She's a pistol. I loved her. She's been retired for God, two, three years.

Brenda Bannon (01:29:42):
Okay. Thank you.

RC1 (01:29:44):
She's wonderful. She's tough.

Brenda Bannon (01:29:49):
After there was the upset, I'll use that term during the DEI committee meeting last spring, did you yourself have any conversation with RC1 about why she became so upset in that meeting?

RC1 **(01:30:12):**
Yes. And what she said was muffled and squishy. It was what she said repeatedly to me is, and fairly explicitly in these words, it's not racism, it's people acting inappropriately. Now, what's the definition of inappropriately? For her? It is, you're not in a union, go sit down and shut up. But that's what she repeated many, many times. Racism is not the problem. It's a bunch of people who were jerks. And to be fair, a bunch of people in the clerk's office who were jerks or at least didn't like doing what they were supposed to do, they were accustomed to not doing what needed to be done.

Brenda Bannon (01:31:16):
Okay. So I'm going to go back towards the early part of her tenure with the county. Do you remember something about her getting a panic button in her office?

RC1 **(01:31:27):**
Oh, that was not, oh yeah. Fairly early. It was because of RC1 .

Brenda Bannon (01:31:33):
Do you remember the incident?

RC1 (01:31:36):
Yes. Well, as she described it, she said that when they were having their conversation on his inappropriate behavior, I assume that he positioned himself in an aggressive manner. My

characterization, not necessarily hers. He was sat up in his chair and leaned forward on the desk. And in her words, google eyed her.

Brenda Bannon (01:32:08):

Okay.

RC1 (01:32:10):

Like his eyeballs out and she said, I was concerned for my welfare. And if I remember correctly, she was scared because he was sitting closer to the door than he was between her and the door to her office and scared her. Now, was her fear founded or unfounded in your opinion or My opinion? I don't know. Did he even do that? I don't know, but it mattered to her sufficient that she wanted to be able to have a panic button. And when he got his job in the Superior court office, we gave her a panic button that she could carry with her. She was afraid to go to the garage for fear that he would be in the garage and assault her.

Brenda Bannon (01:33:14):

That was provided to her When RC1 got the new job at the Superior Court?

RC1 (01:33:20):

Yes, because once he was let go, he was gone for a year or more, and then all of a sudden he shows up and she's like, he comes down here to the office, I have to see him. He scares me.

Brenda Bannon (01:33:37):

And

RC1 (01:33:38):

I'm not in a position to say, oh, don't worry about that guy. He won't rape you. Well, I'm not going to say that. I'm not going to be the one that picks up that afterwards. So we're going to get her a panic button. She's going to have my space in the garage, which I gave to her, which was near the entrance to the garage. So she didn't have to go to the back end of the garage, which was what her concerns were.

Brenda Bannon (01:34:03):

You gave her your parking space?

RC1 (01:34:06):

That's correct.

Brenda Bannon (01:34:14):

Okay.

RC1 (01:34:18):

And she wanted to have some more intensive kind of, I think that think she doesn't have a panic button. What she does or can do is notify the sheriff's office that she's leaving her office and going wherever, and that they will follow her on the cameras. So I don't think she has a panic button because I think they

weren't able to actually find out where she is. The panic button didn't have a locator on it, and she accepted that as a problem that I think they still do, or were following her. If she made contact with him and said, I'm coming into the building. I'm leaving the building. She really didn't like him.

Brenda Bannon (01:35:17):

Okay. Are there any other examples that were upsetting to the clerk that we haven't yet touched on?

RC1 (01:35:38):

No. That I can think of with RC1 But RC1 promoted her to the RC1 and said that she did accessory[?] work

Brenda Bannon (01:35:55):

To the RC1 .

RC1 (01:35:57):

Yeah.

Brenda Bannon (01:35:58):

And why did she leave?

RC1 (01:36:15):

So I never had any reason to question RC1 credibility. I might've disagreed with her in some instances, but I had no reason to question her decision making. No.

Brenda Bannon (01:36:30):

Okay. Why did RC1 leave?

Brenda Bannon (01:36:42):

Could you hear my question?

RC1 (01:36:45):

Apparently not.

Brenda Bannon (01:36:46):

Oh. Why did RC1 leave?

RC1 (01:36:53):

Well, I think there were two factors. One, I was told by other people that she didn't like the clerk's office anymore. RC2 think. But she did meet with me and she met with Bruce Dammeier separately to make a case that RC1 were not doing a good job. And when Bruce and I met afterwards to debrief, we both concluded that her concerns were insubstantial. We were both fascinated, as with RC1 , that there was no substance to the complaints.

Brenda Bannon (01:37:49):

What were the examples?

RC1 (01:37:50):
I remember Bruce leaning forward towards me and going,

Brenda Bannon (01:37:54):
Yeah,

RC1 (01:37:56):
I just never got anything out of it that I could act on. I said, exactly the same thing happened with me, which is interesting.

Brenda Bannon (01:38:06):
What were the examples that were provided?

RC1 (01:38:11):
I don't remember.

Brenda Bannon (01:38:15):
Okay.

RC1 (01:38:16):
And that would be testament to their lack of substance? I'd be interested in hearing what Bruce might say. What did she say? I didn't take any notes. Okay. Because my attitude was if there was something specific of substance, I would remember it. And if there were several of them, I would say stop. We need to talk more later.

Brenda Bannon (01:38:40):
Okay.

Brenda Bannon (01:38:50):
Okay. Is there anything else that you think that we should talk about before we conclude?

RC1 (01:38:59):
No. I'm happy to answer questions as you have them. If you get more information and wonder, gee, what RC1 said doesn't seem to agree with what Larry said.

Brenda Bannon (01:39:07):
Oh, sure. So what about, is there anything that occurred during your tenure working alongside or around RC1 that you think is relevant to this investigation? I just haven't asked you the right question.

RC1 (01:39:25):

No. All I would say is that she was hired, she's the best qualified, and she's demonstrated she was the best qualified and has made significant improvements despite a lack of support by some staff, people who took other jobs, mostly in the Superior Court division. I have no reason to do anything other than be a strong supporter of RC1 management practices. I find it interesting that she was reappointed.

Brenda Bannon (01:40:05):

Okay. How so?

RC1 (01:40:08):

Well, a new guy coming in could just say, thank you. I've got somebody else in mind.

Brenda Bannon (01:40:13):

Got it.

RC1 (01:40:19):

It would've been easy.

Brenda Bannon (01:40:22):

Happens all the time. Right?

RC1 (01:40:24):

It happens all the time. And in fact, I was giving it about a 75% probability factor.

Brenda Bannon (01:40:35):

Okay. Let me ask you this question. Did you ever have a sense in your meetings with RC1 and RC1 RC1, that RC1 was minimizing RC1 experiences?

RC1 (01:41:02):

I don't know that I would characterize it that way. I think she was more cautious about we need to make sure that these things actually happened. And RC1 is very sensitive. And I understand she's very sensitive here. An outsider comes up here from Texas, she didn't know anybody here, and then she dropped into this department that is in trouble and she's got opposition. So I can see where I would go. Everybody in the world is out to get me until somebody tells me that's not true. RC1 Larry's not out to get you. Brenda's not out to get you. Well, yeah. But a lot of people have to go, okay, well let's deal with those people. Let's not throw the baby out with the bath water. There's work to be done. Get back to it. Those are many of my doses of RC1 get back in there. Don't give up. Okay. So RC1 may have from time, time said, I'm not sure it was that big of a deal, but I don't remember anything specific.

Brenda Bannon (01:42:24):

Okay.

Brenda Bannon (01:42:30):

All right. To your recollection, did RC1 ever bring concerns to you that her own concerns about disrespect or hostility in her department directed towards her was not being taken seriously by either RC1 or yourself?

RC1 (01:42:52):

Well, she disagreed with a lot of what HR did Institutionally. I don't think she ever questioned my commitment or Bruce's

Brenda Bannon (01:43:09):

Okay.

RC1 (01:43:10):

Or her credibility. As I said to Michelle Luna, the first time this issue arose, give me a specific and I will act on it. It's now fascinating. I don't recall any specifics that were actionable.

Brenda Bannon (01:43:28):

Okay. All right.

Brenda Bannon (01:43:43):

So it's now about seven minutes after noon. With your permission, we will conclude our interview and go off the record.

Brenda Bannon (01:43:54):

Good with me.

Brenda Bannon (01:43:55):

Okay.

Brenda Bannon (00:00:01):

So we're on the record. According to the computer, it's now 1:03 PM and it is Monday, February 10th, 2025. I'm Brenda Bannon with the law firm of Ogletree Deacons, and I'm meeting remotely with RC1 who is currently employed with Pierce County. RC1, do I have your permission to record our conversation?

RC1 (00:00:28):

You do, yes you do.

Brenda Bannon (00:00:29):

Thank you so much. So we are conducting this part of the investigation remotely. I am in a private workspace with nobody else present. RC1, are you also in a close workspace with nobody else present for confidentiality purposes?

RC1 (00:00:47):

No. Yes.

Brenda Bannon (00:00:48):

Okay, thank you. So as you know, well, let me first confirm, I believe you received the email notice explaining the investigation and the meeting with me today. Is that correct?

RC1 (00:01:03):

So I received the email that indicated that there was an investigation and that my interview is being sought as a subject and a witness.

Brenda Bannon (00:01:11):

Perfect. So I have been hired by Pierce County through the Pierce County prosecuting attorney's office to serve as an outside impartial fact-finding investigator, and there are allegations of past discrimination, hostile work environment in the clerk's office. In that regard, my role is to get your side of things in response to my questions. Ultimately, I report my factual determinations back to Pierce County through the prosecuting attorney's office. The most important thing for you, RC1 is to be as honest and candid and forthright with me as possible. I remind all witnesses. I try to remember to remind all witnesses to not engage in any behavior or communication that could be construed as attempting to influence or impede the investigation or to pressure anybody else to participate in a particular way. So I'm asking you to partner with me to create a confidential personnel matter and investigation here to protect the integrity of the investigation. As you know, the county does have public disclosure requirements that it has to comply with. So if anyone were to ask for any portion of my investigation while it was pending, it would be somebody else's decision. It wouldn't be my decision. But ordinarily first I would refer to the legal advisor who's tied to this particular investigation, which is Ms. Miranda.

(00:02:59):

It would be somebody else's decision, not mine. But I can tell you ordinarily, the investigation stays with me while the investigation is pending. Although I think it's also important for you to know, although I am an attorney, my role is to serve as a fact finding investigator here. So I'm not here to provide legal advice

to answer legal questions, and so I won't be doing so today. So that concludes my spiel. Does that help a little bit as far as what we're doing here today,

RC1 (00:03:33):
A at all? I think it probably is a good place to let you know that I am employed by the prosecuting attorney's office. Now, I don't know if that impacts anything.

Brenda Bannon (00:03:45):
That was my understanding, but thank you for alerting me to that.

RC1 (00:03:49):
Okay,

Brenda Bannon (00:03:49):
I appreciate

RC1 (00:03:50):
That. Yeah, I just wanted to make sure that that was there. So perfect. There was no

Brenda Bannon (00:03:54):
Confusion. Okay. And you're welcome to call me. Brenda, are you comfortable with me referring to you as RC1 as we speak? ,

RC1 (00:04:03):
Absolutely. Yes. Okay. Yes. Thank you.

Brenda Bannon (00:04:04):
Okay. Thank you so much. So thank you for clarifying that. Your current employment is with the Pierce County Prosecuting Attorney's office. And go ahead and tell me when you got hired by the PAO.

RC1 (00:04:22):
I was hired here RC1

Brenda Bannon (00:04:27):
Okay. And your title?

RC1 (00:04:30):
I'm RC1 .

Brenda Bannon (00:04:32):
Okay. Who is your supervisor?

RC1 (00:04:37):

RC1 .

Brenda Bannon (00:04:39):
Spell that last name.

RC1 (00:04:41):
RC1 .

Brenda Bannon (00:04:45):
Thank you. And what is her title?

RC1 (00:04:49):
She's the RC1

Brenda Bannon (00:04:51):
Okay. And what kinds of things do you do?

RC1 (00:04:56):
I support three different attorneys in their trial prep. So I help them with media processing, document preparation, keeping track of their calendars, just overall support for them, whatever it is that they need to get through the criminal trial process.

Brenda Bannon (00:05:15):
Okay. Are you enjoying the work?

RC1 00:05:17):
Yeah. That's good. My history with the clerk's office was heavy on criminal side when I first started there, so to see this side of it when I started working here was really interesting to me.

Brenda Bannon (00:05:28):
Oh, terrific. Good to hear. And my understanding is that you left the clerk's office RC1 , is that correct?

RC1 (00:05:37):
RC1 .

Brenda Bannon (00:05:39):
Okay, perfect. And you resigned?

RC1 (00:05:47):
Did Yes. Okay,

Brenda Bannon (00:05:50):

Thank you. And can you just fill me in on your educational background?

RC1 (00:05:59):
I graduated high school. That was the extent of my education.

Brenda Bannon (00:06:03):
Perfect. And then outside of the Pierce County Employment Current and former, have you had other employment pieces since high school?

RC1 (00:06:21):
I worked at a RC1 prior to working for the Clerk's office, and then I came onto the clerk's office in RC1 and I worked there until RC1 And then I worked for a company called RC1, and then I was there until I came back to Pierce County in RC1.

Brenda Bannon (00:06:54):
Okay, perfect. Thank you. That helps. So it's nice to know a little bit about who I'm meeting with, so thank you

RC1 (00:07:00):
For sure. Yep.

Brenda Bannon (00:07:05):
Do you have current interface or interactions with the Pierce County Clerk's Office in your current role?

RC1 (00:07:14):
I do have occasional workings with them as our office does filings and we have to request copies of prior records and things like that. So generally right now a lot of my interactions can be done remotely. I don't have to go into the office for a whole lot, but occasionally I will need to go down to get subpoenas issued and pick up hard copies of documents that were not electronically processed.

RC1 (00:07:47):
Okay.

Brenda Bannon (00:07:53):
I am just going to put it out there. Given the prior experience in 2022 at the clerk's office and then you resigning, are there any issues for you currently in interfacing with the clerk's office or occasionally physically going to the clerk's office?

RC1 (00:08:18):
I do find it quite uncomfortable to go in there. Okay. And whenever I go in there, I make sure that it's very clear that I'm in there for work purposes. I bring a folder with me. My understanding is that everything is recorded in that lobby, so I want to make sure that there's never a question as to what it is that I'm doing in there.

Brenda Bannon (00:08:42):

Okay. And why is it that you're so careful?

RC1 (00:08:46):

Because of my experience prior to when I left.

Brenda Bannon (00:08:49):

Okay. I don't know if this is possible, but I'm going to try this. And this is in the interest of, first, I want to let you know I have read a lot of stuff, so I'm not coming into this interview cold, but I am interested in hearing from you Of course. So if there were, I'm going to see if I can do this. If there were four reasons why you feel uncomfortable currently going into the clerk's office, what would the top four reasons be?

RC1 (00:09:23):

There was accusations made against me that were unfounded and I was disciplined for and accusations that were made by RC1 while I was working there. And then also in my time after working there and since coming back, I have seen records of there still being issues towards me and I'm in a position where I just want to move past all of those things and just provide good work to the prosecuting attorney's office since I'm no longer an employee down there. So the top four reasons would be my prior experience with accusations and being disciplined, which is still on my record and I don't want to get in trouble for that anymore. I don't want to cause issues for the employees of the clerk's office because a lot of them I still have a connection to. I do believe that there is, I believe that there's still problems with me going in there by RC1 based on what I've read in the different investigation. So just overall not comfortable with going in there based on what my experiences have been and not wanting to cause further issues.

Brenda Bannon (00:10:51):

Okay. Thank you. I appreciate that. So what have you read since returning to the Pierce County prosecuting office employment that gives you some concern?

RC1 (00:11:05):

Well, there was an accusation made by an employee down there of, she made an accusation of, I don't remember exactly what the accusation was, that she was being targeted retaliation claim or something to that effect. I don't remember exactly what her claim was. And then she came back with unfounded and she got the records on those. She did a public records request, and for the purposes of the fact that I go into that office, she shared with me that one of the responses by one of the current staff members in there that was interviewed, she indicated that there was a problem with me personally. So she was still naming me in an investigation, an employee that I never even worked with, an employee that I never had any kind of communication with. I don't even know who this employee is, but she chose to name me in that investigation and indicate that there is a problem with me continuing to make things uncomfortable for RC1. And I read that from the notes on the Pierce County investigation. So it wasn't a situation where I overheard it from somebody, it was direct notes from their investigation. And like I said, the only reason it was shared with me is because of my having to go into that office and basically to protect myself.

Brenda Bannon (00:12:42):

So who is the individual who made a public record request and obtain those documents and shared that information with you?

RC1 (00:12:52):

It was RC1 last name is RC1 I believe she just changed her name now to RC1

Brenda Bannon (00:13:06):

And who is the employee? That's the current staff of the clerk's office that I'm going to say allegedly suggested that you were trying to make things uncomfortable for RC1.

RC1 (00:13:21):

It's RC1 I don't know her last name. RC1 I think it's RC1 I think she's RC1 but I don't know her last

Brenda Bannon (00:13:32):

Name. Okay. Was there an example or anything provided in what you read?

RC1 (00:13:41):

She made reference to me visiting the clerk's office in my time away when I worked for a different company. So anytime I was in the building for any reason, which a few times I had to be in here, I would stop by and visit with them. And apparently she made accusations that I was extending my stay. I don't know exactly what the claims were, but she made reference to me going in there during my time away.

Brenda Bannon (00:14:15):

Okay. What was the investigation about that you read?

RC1 (00:14:21):

That she was mistreated? That the employee mistreated RC1 in a public meeting. In a public staff meeting, which is actually exactly what happened. The same claim that she made against me, that RC1 made against me in hr. With HR

Brenda Bannon (00:14:52):

And the kind of mistreatment, how was it described?

RC1 (00:14:57):

She made claims that she was aggressive towards her, that she was disrespectful towards her, that she turned her back on her, and I believe all of those things were unfounded in the investigation by hr. She was not disciplined for any of those things, and those were the same claims that she made against me, one of the same claims that she made against me. And HR didn't find those to be factual either. However, I was still disciplined for them.

RC1 (00:15:30):

Okay.

Brenda Bannon (00:15:33):

Alright. Thank you very much. So it's my understanding that RC1 , RC1 was hired in RC1 . Is that your memory too?

RC1 (00:15:50):

Yes.

Brenda Bannon (00:15:50):

Okay. And what were your feelings about the decision that the county made to hire RC1 when you first heard about it?

RC1 (00:16:01):

I didn't know her, so I was anxious about somebody coming from the outside, but I didn't have any issues with that. I know during the investigation they claimed that I was more reserved. They claimed that I was upset about that hiring, which I was not. I expressed the people that I knew that I wasn't going to get that position anyway. It wasn't something that I was trying to do. There was an unknown anxiousness that I think everybody has when somebody's coming in that you're not familiar with, but I didn't have any reservations towards her. I trusted that Pierce County would make the right decision in who they were hiring and was fully planning on giving her the benefit of the doubt.

Brenda Bannon (00:16:56):

Okay. So did you get past the phone interview screening

RC1 (00:17:05):

For RC1 ?

Brenda Bannon (00:17:06):

Yeah,

RC1 (00:17:07):

I did not.

Brenda Bannon (00:17:08):

Okay. Is that why you say you knew you weren't getting hired for that position?

RC1 (00:17:13):

Oh, I don't have a four year degree, so I didn't believe that I was qualified for that position anyway.

RC1 (00:17:20):

Okay.

Brenda Bannon (00:17:29):

Did you ever tell anybody that the prior county clerk had told you that you were going to get that position?

RC1 (00:17:38):
I mean, that was something that we had kind of talked about during his time here was that he was working to try to get to a point to have me ready to take over the office when he was ready to go. That was not something that happened.

RC1 (00:17:56):
Okay.

Brenda Bannon (00:18:09):
Did you tell people that you believed that the position had been promised to you?

RC1 (00:18:16):
That's not something I said.

Brenda Bannon (00:18:18):
Okay.

RC1 (00:18:21):
I would not have said that because it wasn't, there was no time when I believe that that was just going to be my position. We had conversations with the prior clerk about succession planning and things like that, how those types of things used to work, but that's not something that ended up happening. So we never took any steps to, I wasn't even promoted to RC1 spot before Kevin was to leave, which would've been a natural step in that direction. So those things that Kevin had talked about putting in place to try to potentially get me ready right before he was to go, never took place. So there was never a point where I felt like it was promised to me. Okay.

Brenda Bannon (00:19:18):
Did you do so sometimes I'm just going to pause at my question with this. Sometimes our feelings get ahead of us. Right. Did you nonetheless express to RC1 , when you met with her, that words to the effect that the position had been promised to you and you had thought you were going to get the position

Brenda Bannon (00:19:49):
Statement [?]

RC1 (00:19:49):
To her?

Brenda Bannon (00:19:51):
You're pretty sure about that?

RC1 (00:19:53):
I am sure.

Brenda Bannon (00:19:54):
Okay. Did you say words to the effect that you guess it looked like the county went a different direction?

RC1 (00:20:05):
No, I don't believe so because again, there was never a point where I thought that I was going to get that position. Even when I applied for that job, I didn't believe that I was going to get that position because going into it, I knew that I didn't have a four year degree.

RC1 (00:20:20):
Okay.

Brenda Bannon (00:20:24):
When you had your first introduction to RC1 and you were sort of getting to know each other a little bit, did you say anything to her? Well, the county went a different direction than I expected. You're black,

RC1 (00:20:48):
Never said that.

Brenda Bannon (00:20:50):
Did you say anything?

RC1 (00:20:51):
That's not something that was ever said,

Brenda Bannon (00:20:52):
Anything like that?

RC1 (00:20:54):
No.

Brenda Bannon (00:20:56):
Have you heard that kind of statement before my asking you just now?

RC1 (00:21:02):
No.

Brenda Bannon (00:21:03):
Has anyone,

RC1 (00:21:03):
There was never any kind of conversations about race or anything like that? We didn't even know who she was until soon before she started.

RC1 (00:21:20):
Okay.

Brenda Bannon (00:21:26):
Did you have some reason to think I was going to ask you about that conversation today?

RC1 (00:21:32):
I'm actually surprised that that just came out.

Brenda Bannon (00:21:35):
And why are you surprised?

RC1 (00:21:37):
Because that was never a thing.

Brenda Bannon (00:21:41):
Can you elaborate on that?

RC1 (00:21:44):
Race was never in my mind about being an issue. That's not something that I heard. That's not something that I personally had any issue with, so I am surprised that that came out okay. That's never been a conversation that I've had.

Brenda Bannon (00:22:04):
Okay. So I have read some documents that suggest that during this window of time after RC1 was hired, you started to pull back and not spend so much time at the front desk, spend more time in your office, sort of avoid people. All indications were sort of that you were upset or angry about the hiring decision. What is your response to that?

RC1 (00:22:34):
I was not angry with that. One of my frustrations through the process of the prior investigation that was done was that those conversations were never had with me. I was never even asked if I was upset. People just made their own assumptions. I was trying to figure out a path. I was trying to figure out what my role in the office was. I was working off of the fact that we had no direction, we had no expectations, and I didn't know what I was supposed to be doing, so I wasn't upset. We lacked direction.

Brenda Bannon (00:23:13):
What was your title?

RC1 (00:23:16):

I was a RC1 .

Brenda Bannon (00:23:18):

So wouldn't you just continue being the RC1 ?

RC1 (00:23:22):

That's what I felt like I was doing. I wasn't helping customers. I was supervising. That's why I stayed away from the counter more. I was available to staff in my office. I was doing office work, things that would take me away from people. Yes, I did gravitate towards being in my office a little more, and I did make that clear in that interview, but that was from a lack of understanding where I'm supposed to be. We weren't given any direction as to what our expectations were.

Brenda Bannon (00:23:56):

Well, as RC1 , you previously had spent more time at the front counter, it sounds like. Is that true?

RC1 (00:24:04):

Yes.

Brenda Bannon (00:24:05):

So why did you pivot?

RC1 (00:24:07):

Because I wasn't sure if that was what was expected of me or not, because I wasn't given expectations. You continue to do what it is that you were doing, and Kevin had us as working managers, he had us with the staff, he had us doing that type of work, but it wasn't clear that that's what the expectation was on that point.

RC1 (00:24:30):

Okay. Thank you.

Brenda Bannon (00:24:39):

So it sounds like you then later applied for the position of Deputy Clerk. Is that correct?

RC1 (00:24:50):

Yes.

Brenda Bannon (00:24:51):

Okay. And you were not hired for that role, correct?

Brenda Bannon (00:24:56):

Correct.

Brenda Bannon (00:24:57):

And were you angry or upset about that?

RC1 (00:25:01):
I was disappointed. I wasn't angry. I had previously been written up and it was clear at that point that there wasn't a path for me to be anything more than what I was. So I was not surprised by the fact that I was not selected for that position.

Brenda Bannon (00:25:29):
And you're referring to the memorandum of understanding that you received?

RC1 (00:25:37):
Was that the initial document that I got in January?

Brenda Bannon (00:25:41):
I don't have it in front of me. I'm sorry.

RC1 (00:25:44):
Yeah, I think it was a memorandum of understanding. I had a memorandum of expectations as well.

RC1 (00:25:49):
Oh, I see.

RC1 (00:25:50):
That came along with my suspension.

RC1 (00:25:53):
Okay.

RC1 (00:25:55):
I believe it was that document.

Brenda Bannon (00:25:58):
Which one?

RC1 (00:26:00):
The memorandum of Understanding.

Brenda Bannon (00:26:01):
Okay. That's what you're referring to?

RC1 (00:26:04):
Yeah.

Brenda Bannon (00:26:04):

Okay. And that was related to a decision you had made. I'm going to paraphrase a decision that you had made to send a member of the public up to the executive's office who the member of the public was a little upset

Brenda Bannon (00:26:19):

Or upset

Brenda Bannon (00:26:21):

And so it was decided that wasn't the best decision. It sounds like

RC1 (00:26:27):

It was in hindsight, one of my biggest missteps.

RC1 (00:26:35):

Okay. Okay.

Brenda Bannon (00:26:43):

So I'm going to ask you a series of questions, RC1 so please bear with me. Okay. Did you either at the time that RC1 was hired or in the aftermath of not getting RC1 , did you try to make RC1 experience at the clerk's office difficult?

RC1 (00:27:12):

I worked.

Brenda Bannon (00:27:13):

You're shaking your head, so that's a no,

RC1 (00:27:16):

I did not.

Brenda Bannon (00:27:16):

Okay.

RC1 (00:27:17):

I did not do that. Okay. I worked as hard as I could to try to make things as comfortable as possible.

Brenda Bannon (00:27:22):

What kinds of things did you do to try to make things comfortable?

RC1 (00:27:29):

I would counsel fellow employees on the fact that we would be okay. I identified some points that were similar from her situation coming from a small town in Texas and a municipality down there to a small

type feel in Pierce County in Tacoma. That was always kind of the feeling that we had is that we're a small community, we're a close-knit community even though we're on the bigger side of things, but that she should have an interest in making those types of things comfortable for everybody as well. She should have an interest in Pierce County and wanting to be a part of the community and things like that and tried to assure people that we were going to be okay. I understood that she was not comfortable with me after those accusations. I mean, not that investigation went on for a long time, so I had a lot of opportunities to be around her.

(00:28:38):

I made sure that I was always polite in my dealings. I felt like I was just myself, but I just made sure that I was conscious. I know that there was one specific example of she had, I don't remember exactly when it was, but RC2 I saw it coming and I knew that she was not comfortable with me, so I made sure that I sent other people to assist her while I stayed away. I was working to make sure that I didn't add any more stress to her. Those types of things are the types of things that I would look for to make sure that I wasn't, wasn't showing her that I was against her or showing her that I was upset about anything or anything like that. I mean, I worked really hard to make sure that it was clear I was just there to work.

Brenda Bannon (00:29:48):

Okay. So do you recall when what you described as a RC2 occurred?

RC1 (00:29:57):

I don't know exactly when it was.

Brenda Bannon (00:29:59):

What month? In 2022?

RC1 (00:30:06):

I don't think it was necessarily in the summertime. So I think it was in April that it was announced that I was not, yeah, I started the investigation I think in May, so it must've been in the summertime. Actually. I was just trying to think back to when,

RC1 (00:30:27):

Like I said,

RC1 (00:30:28):

I don't know exactly when it was. It was after the investigation started. I knew at that point that she obviously was not comfortable with me, and I worked to make sure that she knew that I was not against her.

Brenda Bannon (00:30:46):

So what did you mean when you said to me that you saw it was coming on? What did you say? I

RC1 (00:30:54):

Don't remember. I mean, she didn't look like she was okay. It appeared like she was crying. She had went into RC1 office. I believe it was RC1 who was the one that was promoted to RC1 spot, and it just appeared that it wasn't, that she wasn't okay. Went in and shut the door. I think I went and talked to Melissa Engler. She was one of my co legal processing supervisors and let her know, I believe she reached out to RC1 I don't know the exact sequence of events. All I know is that my focus was on making sure that people were going to aid her and I was taking care of the business of the office.

Brenda Bannon (00:31:49):

So RC1 went in to speak with RC1, who was her RC1. And you went to speak to who?

RC1 (00:31:59):

Melissa Engler. And I don't know that RC1 was even in there. I don't know that anybody was in there. I know that people went into her and unfortunately, I don't know the names of all the people that were involved in that.

RC1 (00:32:15):

Okay.

RC1 (00:32:19):

I mean, I know that it got to a point that somebody reached out to her husband and had her husband come and take her down, and RC2 and all of that stuff. So I know that it was a bigger deal, but my focus in that moment was to make sure that I didn't add any kind of stress to her.

RC1 (00:32:40):

Okay. Thank

Brenda Bannon (00:32:43):

You. So did you RC1 ever encourage other workers, other coworkers to try to make RC1 environment at the clerk's office difficult?

RC1 (00:33:01):

No, I never did that.

Brenda Bannon (00:33:03):

Okay.

RC1 (00:33:04):

The end of my time there. So through that investigation, I worked really hard to make sure that I showed up every day and I was kind, I was respectful. I never wanted, wanted anybody to have an example of the things that were claimed against me because none of the things were not true. So much so that when I put in my resignation, the response that RC1 RC1 gave to RC1 who was my direct supervisor, she, her quote was us. Really, I'm surprised. I thought we were making headway. So in her mind she had it on record that she thought that we were making headway in our working relationship

and that I felt like it was a product of my work put into make it clear that I'm not against her, that I'm working to support her.

Brenda Bannon (00:33:59):

So RC1 told you that at the time that you submitted your resignation, RC1 said to her that she was surprised that you submitted it because she thought there had been improvement?

RC1 (00:34:13):

I thought we were making headway was the quote that she said.

Brenda Bannon (00:34:18):

Okay. Is RC1 still working at the Court of Appeals To your knowledge?

RC1 (00:34:29):

I believe that she is. I haven't spoken with her in a bit, but I believe that she is. I have not heard that she was anywhere else.

Brenda Bannon (00:34:35):

Okay. And who at the Clerk's Office currently do you still socialize with?

RC1 (00:34:46):

I connect with Melissa Engler and RC1, so they were the other two RC1 when I was there, and we meet monthly so we can discuss whatever it is that they want to discuss. Sometimes it's venting, sometimes it's talking about families. It's just weak. We built a strong connection during our time there, and so that's something that we still support.

Brenda Bannon (00:35:18):

Okay. RC1 last name?

RC1 (00:35:19):

RC1.

RC1 (00:35:25):

Thank you.

Brenda Bannon (00:35:35):

Did you have observations that some of your colleagues while you were still working at the clerk's office were trying to make RC1 job difficult or her environment difficult?

RC1 (00:35:50):

I never had anything like that. I never experienced anything like that. Like I was saying, from May on my total focus was protecting myself and making sure that I was not feeding into a narrative that had been built about me and working to get away from the office before it was more problematic for me.

Brenda Bannon (00:36:21):

Okay. Did any of your coworkers tell you that they didn't want to work with RC1 because of her race?

RC1 (00:36:29):

No. That was never something that was brought up.

RC1 (00:36:35):

Okay.

Brenda Bannon (00:36:43):

Do you remember hearing about RC1 being concerned about some corners of the county, maybe making racist remarks or behaving in a racist manner? Did that come to your attention?

RC1 (00:36:59):

This conversation is the first I've ever heard of race.

Brenda Bannon (00:37:02):

Okay. So you first shook your head when I asked the first part of the question, and then you said you haven't heard race be a component of the conversation before?

RC1 (00:37:12):

No not at All. I've never heard. I've never heard that that was an issue.

Brenda Bannon (00:37:16):

Okay. Did you encourage your coworkers to not greet RC1 in the morning?

Brenda Bannon (00:37:29):

No.

Brenda Bannon (00:37:30):

Did you observe that some of your coworkers just would walk by RC1 in the morning, RC1 in the morning? No. When she would say hello and good morning?

RC1 (00:37:39):

No, that's never, no. In fact, to the contrary, I've heard employees say that they had tried to greet her and she would simply put her head down.

RC1 (00:37:52):

Okay.

Brenda Bannon (00:38:01):

Did you RC1 encourage your coworkers to just not be helpful to RC1

Brenda Bannon (00:38:12):

No.

Brenda Bannon (00:38:13):

Anything like that?

RC1 (00:38:15):

No. There was never anything like that. There would be no reason for me to want to do that.

Brenda Bannon (00:38:24):

Any conversations amongst yourselves like, well, let her figure it out. If you don't know, you don't know, you don't need to go out of your way to be helpful?

RC1 (00:38:33):

Absolutely not. That is who I am as an employee. I am a public servant. I take pride in helping people. That is what I'm here for. That's why I'm in the roles that I'm in now. That's what I loved about the work that I did. I would never encourage anybody to not be helpful.

Brenda Bannon (00:38:55):

Did you leave Pierce County before? Let's see, RC1, or did RC1 leave the clerk's office first?

RC1 (00:39:09):

I left before he did.

Brenda Bannon (00:39:11):

Okay. And did you experience conversations with RC1 where RC1 made statements like that? Yeah. She's on her own. What? I know. I know. I don't need to train her up. She's got figure it out. I don't need to help her.

RC1 (00:39:30):

No, there was nothing that I experienced like that. He was RC1, so our interaction has didn't overlap a whole lot since I was on RC1 side.

Brenda Bannon (00:39:51):

Did you know when RC1 left the clerk's office?

RC1 (00:39:55):

I've heard that he had left. I didn't, I mean, yes, I found out that he had left, but in my conversations with Melissa and RC1 usually I would be updated on who left the office.

RC1 (00:40:10):

Okay.

Brenda Bannon (00:40:21):

This is kind of a speculative question, so just bear with me. If you don't know the answer, you don't know the answer. Would you have anticipated that RC1 in his role, other employees in his group before he left, so he just didn't take all of his institutional knowledge with him?

RC1 (00:40:43):

Don't know. I don't know. I don't know what the structure of that department was and what his role in transitioning himself out was.

Brenda Bannon (00:40:54):

When you were still at the clerk's office, did RC1 complain to you about RC1 in any fashion?

RC1 (00:41:03):

No. Him and I didn't have much of a working relationship in the fact that we are in different departments,

Brenda Bannon (00:41:12):

Same department, different part of the department,

RC1 (00:41:15):

Different units of the Clerk's office.

Brenda Bannon (00:41:17):

Yeah. Okay.

RC1 (00:41:21):

Thank you.

Brenda Bannon (00:41:30):

I am going to go through some of these questions though. I do anticipate what you're going to respond, but please bear with me. Okay. So after you left, did you encourage any member of the news media to go to the clerk's office and ask questions about operations?

Brenda Bannon (00:42:00):

I did not.

Brenda Bannon (00:42:01):

Okay. Did you hear about other employees doing that?

RC1 (00:42:09):

I did not hear of other employees doing that. I did see news articles from the News Tri, but I did not encourage and did not hear of other employees encouraging.

RC1 (00:42:19):
Okay.

Brenda Bannon (00:42:23):
All right. Do you know who did go to the news media? I

Brenda Bannon (00:42:29):
Don't know.

Brenda Bannon (00:42:40):
Did any member of the News media reach out to you? So you provided some information during the course of that sort of media blitz regarding the Clerk's Office?

RC1 (00:42:51):
No, I had no contact with any media personnel.

Brenda Bannon (00:42:56):
Okay. Did you encourage other then current or then former employees to talk to the news media to try to embarrass the Clerk's Office or RC1 ?

RC1 (00:43:12):
There was never anything like that from me. Okay.

Brenda Bannon (00:43:21):
Did you encourage other members of the Clerk's office to resign?

Brenda Bannon (00:43:28):
I did not, no.

Brenda Bannon (00:43:38):
Did you ever have a conversation with, for example, RC1 before she left the Clerk's office and talk to her about her frustrations with the Clerk's office?

RC1 (00:43:51):
We had general conversations. I know that she felt like her department was, well, I shouldn't speak for what exactly she felt like, because I don't know exactly what it was, but I know that she has extensive notes on her dealings with the clerk and what she felt was happening.

Brenda Bannon (00:44:15):
How do you know she has extensive notes?

RC1 (00:44:18):
Well, she would talk about the fact that she took notes.

Brenda Bannon (00:44:23):
Okay. And what did she share with you about her frustrations?

RC1 (00:44:30):
Just that she wasn't necessarily supported. She didn't feel like, yeah, and I am really comfortable speaking about her experiences. I know that they were different from mine, and my hope would be that she is somebody that you guys are speaking with as well.

Brenda Bannon (00:44:54):
Sure.

RC1 (00:45:06):
Just at a high level, some of her concerns I shared to you were that she wasn't supported, that her department wasn't supported as she was the RC1 ,

RC1 (00:45:10):
RC1

RC1 (00:45:11):
RC1 and it didn't seem like her program was supported.

RC1 (00:45:17):
Okay.

Brenda Bannon (00:45:22):
So operational differences, not personal differences, it sounds like?

(00:45:27):

RC1 (00:45:28):
No Personal differences

RC1 (00:45:29):
That

RC1 (00:45:29):
I'm aware of.

Brenda Bannon (00:45:30):
Okay.

RC1 (00:45:31):
There was nothing like that expressed to me.

Brenda Bannon (00:45:34):

Okay. While you were still working at the Clerk's office, did you hear any of your coworkers, excuse me, refer to RC1 with swear words or pejorative comments or statements?

RC1 (00:45:54):

No. There was nothing like that expressed to me.

Brenda Bannon (00:45:57):

Nothing at all?

RC1 (00:45:59):

No.

Brenda Bannon (00:46:04):

As you sit there and think about it, is there anything that comes to mind?

RC1 (00:46:08):

No. I mean, I really, again, at the end of my time during that investigation period, I worked really hard to make sure that I was just nose to the grind, working the best that I could to protect myself.

Brenda Bannon (00:46:25):

Okay. So did you ever hear RC1 make any swear words or slurs or pejorative statements towards RC1 ?

RC1 (00:46:37):

There's nothing that I had heard.

Brenda Bannon (00:46:38):

Did you hear anything like that from RC1 ?

Brenda Bannon (00:46:42):

No.

Brenda Bannon (00:46:43):

Anything like that from RC1 ?

Brenda Bannon (00:46:46):

No.

Brenda Bannon (00:46:46):

Anything like that from, did you know RC1 ?

RC1 (00:46:52):

Yeah, she was somebody that worked there. She was one of the staff members.

Brenda Bannon (00:46:55):

Did she ever make any comments like that negative towards RC1 ?

RC1 (00:47:00):

There was nothing that I had heard.

Brenda Bannon (00:47:01):

Okay. And do you know why RC1 left? Did she talk to you about that?

RC1 (00:47:11):

Not directly. I mean, she didn't feel supported. Just we would have get togethers when somebody left and she would express that she was a supported in her position. I know that RC2 so I can't really speak to that, but I don't know the exact reasons why she ended up leaving.

Brenda Bannon (00:47:41):

Okay. And do you know why did RC1 ever speak to you? Why he left the clerk's office?

RC1 (00:47:49):

I didn't even know that he had left. I heard from somebody else. I didn't know from him that he had left. I heard from somebody else.

Brenda Bannon (00:47:56):

Who told you?

RC1 (00:47:59):

To be honest, I can't remember. Probably RC1 and Melissa. Like I said, generally we would have those meetings to where we kind of got together and just talked about things.

Brenda Bannon (00:48:10):

Do you mean coffee or beer after work, or what do you mean?

RC1 (00:48:13):

Yep. Yeah. Okay.

Brenda Bannon (00:48:20):

And those kind of meetings continue, it sounds like?

RC1 (00:48:25):

Yes, We were pretty close.

Brenda Bannon (00:48:26):

Okay. And [redacted], is she still at the clerk's office to your knowledge?

[redacted] (00:48:36):

She is with Superior Court

Brenda Bannon (00:48:41):

In your group or

[redacted] (00:48:44):

No, she works for the actual court. I think she's a [redacted]. I don't know what judge she's for though.

Brenda Bannon (00:48:51):

Okay. How do you know that?

[redacted] (00:48:55):

Just the same. I mean, she left for a [redacted] job. I saw her walking out of the hallway this morning and said hi to her while I was getting on the elevator. Okay. So she's in the building still. I just don't know who she works for. I mean, which judge directly she works for.

Brenda Bannon (00:49:19):

Okay. So it sounds like you had conversations of some sort with [redacted] and [redacted] before they quit. Is that true?

[redacted] (00:49:35):

I mean, yes.

Brenda Bannon (00:49:37):

Okay. And then what I mean by that is regarding the reasons why they might feel like quitting

[redacted] (00:49:47):

More. So [redacted] was my direct supervisor, so we didn't really have conversations about issues that she was going through

Brenda Bannon (00:50:00):

To the extent that there were any conversations by your direct supervisor to you while she was still employed. Can you tell me about that related to [redacted],

[redacted] (00:50:11):

Just, I don't have anything off the top of my head that I can remember. There was nothing of significance that I can think of.

Brenda Bannon (00:50:21):

Do you remember why RC1 told you that she felt unsupported? I mean, was hired by RC1 right. In that role?

RC1 (00:50:32):

And I don't know, did I say that RC1 was unsupported or RC1

Bannon (00:50:38):

Both.

RC1 (00:50:39):

Okay. Yeah, I don't know a specific reason why that was the case. I know that as a leadership group, we were all kind of on the same page with not really having direction. So there was across the board things that felt they were unsupported. Okay.

Brenda Bannon (00:51:09):

So you as a RC1, RC1 as the RC1, and RC1, you would consider yourselves a part of the leadership? Is that what you mean?

RC1 (00:51:23):

And Melissa and RC1 because the three of us were equal RC1, we were responsible for the operational side of the office. Okay.

Brenda Bannon (00:51:35):

And when you say lack of direction, can you be more specific than that?

RC1 (00:51:40):

Hard because there wasn't anything specific. And that was part of the issue is that we didn't have any specific goals. We didn't have any specific direction that the clerk's office was going. When I was coming back from suspension, one of the things in my memorandum of expectations upon returning was to comply with policies and procedures of the office and a few other things that I had to specifically ask RC1 for, because those things were never expressed to us. We never had any of that stuff. We never had clear expectations of the office.

Brenda Bannon (00:52:25):

And did you get that provided to you?

RC1 (00:52:28):

I did.

Brenda Bannon (00:52:32):

What was provided to you?

RC1 (00:52:37):

I would have to look back through my notes. I don't have them specifically. I came back was, I think I served my suspension early October, and then I left in November. I mean, I actually got my new position while I was away from the office.

Brenda Bannon (00:53:04):

All right. But I'm trying to be clear in my head what you were talking about when you said that there was a lack of direction, you actually had to ask for something and you received something. So what was the something?

RC1 (00:53:15):

Oh, for, I guess one example would be there was regular, I think was the wording was regular and attendance or something like that, and requesting prior approval for time off. There was no process in place for how that was to be done. So traditionally, supervisors in the office would put their own vacation time in, so the Workday time management system. And so in order to comply with that, I needed to understand what the expectation was for how to request time. And it was expressed that I was just to request it from, to send an email to my direct supervisor. And I can't remember if it was my direct supervisor and RC1 or my direct supervisor, and if she wasn't available to RC1 but I had to request it through 'em, which is in the time that I had worked there with them, there was never an expressed expectation of how to request time off or a change to what that process was prior to. So that would be one thing that was asked of me. I think there was four or five expectations on there. Fortunately, I didn't have to worry about that for too long. I was gone a month later.

Brenda Bannon (00:54:47):

Okay. Did you not have SOP Standard Operating procedures at the clerk's office under Kevin?

RC1 (00:55:00):

No. There was nothing like that.

Brenda Bannon (00:55:01):

Or an employee handbook under Pierce County?

RC1 (00:55:04):

Well, we had the administrative guidelines, but that's kind of an overall umbrella view of things. And then each department had, they're kind of their own standards.

RC1 (00:55:20):

Okay.

Brenda Bannon (00:55:29):

So since you've been, well, let me ask you this question. How long had you been a supervisor before RC1 was hired?

RC1 (00:55:41):

RC1 .

Brenda Bannon (00:55:45):

So would you just keep doing the work that you were doing in the manner that you were doing it? Why would you need further direction is my question?

RC1 [redacted] (00:55:54):

I mean, there was different expectations, obviously, because I was written up, I was reprimanded for what I believed was kind of our standard procedure.

Brenda Bannon (00:56:06):

But you've also said that you regret that you did that because it was an angry citizen that was sent to the executive's office. So

RC1 [redacted] (00:56:14):

Knowing what I know now, I should have, and I have expressed this, that I should have checked with her on what the expectation was. Because prior to that moment, if somebody wanted to make a complaint against our office, we would send them up to the execs office to do that. I see. And that's what that person was demanding be done.

RC1 [redacted] (00:56:34):

Okay.

RC1 [redacted] (00:56:34):

So that's what I did. And like I said, knowing what I know now, especially, I should have counseled with her and found out what her expectation was as to how we handled that.

Brenda Bannon (00:56:49):

So you had done that before, huh?

RC1 [redacted] (00:56:52):

We had done that plenty of times, yes. If somebody was demanding that they make a complaint against our office with somebody above us, the above us was the executive's office.

Brenda Bannon (00:57:03):

Well, making a complaint is one thing, but when a person is in the moment an angry person, have you sent that angry person to the executive's office before?

RC1 [redacted] (00:57:13):

Well, I can't say for sure. I don't know that I had somebody, I mean, generally when people want to make a complaint, they're not happy. And that situation, in the report that I put together, he wasn't as angry as he was when he first came in. But again, I don't don't want to discount the fact that I should have checked with her and found out what the expectation was. That's where I aired. Prior to that, we would do that, and that clearly wasn't the right thing to do,

Brenda Bannon (00:57:51):

But I just want to make sure that I'm not missing something. I think that perhaps you understand the difference between someone coming to the counter and saying, I want to file a complaint, versus a person coming to the counter who's exercised emotionally distraught, raising their voices and demonstrably angry. Those are two different scenarios, are they not?

RC1 (00:58:15):
They are.

Brenda Bannon (00:58:16):
Okay.

RC1 (00:58:17):
But at the same time, he wasn't like that when I sent him away.

Brenda Bannon (00:58:21):
He was not?

RC1 (00:58:23):
No.

Brenda Bannon (00:58:23):
Okay.

RC1 (00:58:24):
He wasn't. He came in and he was upset, and we had largely worked through it, except he wanted some money back. That wasn't something that I could do, and he wanted to make a complaint against our office for that, and then he became agitated again when he got upstairs.

RC1 (00:58:42):
Okay.

Brenda Bannon (00:58:50):
So RC1 I've asked you a lot of questions. Is there more on the topic of race or racial animus in the clerk's office that you think I should know about that we haven't yet touched on?

RC1 (00:59:05):
No, I, I'm still struggling with that because there was never anything like that that I experienced, that I overheard that I was aware of. There was nothing like that that I had ever heard from that investigation point on. Like I said, my focus in that office was a lot different. I was more focused on myself and making sure that I was protecting myself. I was less involved with conversations and things like that, but I never overheard anything. I never overheard anything. I never experienced anything. Nobody ever asked me anything like that. There was never any kind of racial issues that I understood.

RC1 (00:59:52):

Okay.

Brenda Bannon (00:59:57):

So no one passed on to you first or secondhand concerns that RC1 had raised regarding race while you were still in the office?

RC1 (01:00:09):

No, nothing like that. Like I said, this conversation was the first I'd heard of that.

RC1 (01:00:14):

Okay.

Brenda Bannon (01:00:27):

Now, going back to when you first were meeting with RC1 about her being hired and you not being hired, you don't recall saying something about, I guess the county went a different direction?

RC1 (01:00:45):

I do not remember making that statement.

Brenda Bannon (01:00:47):

Is it possible that you did, you just don't remember it today?

RC1 (01:00:50):

I don't know why I would've done that. I don't know why I would have made that statement. I don't know a scenario where that would've needed to be said.

RC1 (01:01:03):

Okay.

Brenda Bannon (01:01:11):

And do you hold out the possibility that you made the statement, you just don't remember it today?

RC1 (01:01:18):

Like I said, I do not have any kind of memory of that, of a statement like that and don't know of reason why that would've been said.

Brenda Bannon (01:01:35):

How much time passed, if you remember, how much time passed between the hiring and your knowledge of the hiring of RC1 and you being informed that you were not going to proceed past the interview stage?

RC1 (01:01:59):

For RC1 position?

Brenda Bannon (01:02:00):

Yes.

RC1 (01:02:05):

Well, I don't know. They didn't present to me that I wasn't moving past the interview or the phone screening stage. I didn't know, I wasn't told that I didn't, didn't move on, and I don't know when she was announced, so I can't say how long between the time I did my phone screening and she was announced. I guess that would be the timeline that you're looking for, right? Yeah. I don't know what that timeline is.

Brenda Bannon (01:02:42):

So at the time that RC1 was announced to be the selected RC1, you were still wondering whether you were in the running?

RC1 (01:02:58):

No. I mean, at that point I had figured I, I believe that we knew that RC1 had interviewed

Brenda Bannon (01:03:08):

In person, you mean?

RC1 (01:03:10):

Yeah.

Brenda Bannon (01:03:11):

And you learned that at the time?

RC1 (01:03:14):

I don't know when I learned that. I mean, I'm sure that was just a conversation that was in the office

Brenda Bannon (01:03:23):

And you were not called to be advised that you were not going to be coming in for an interview. When you heard about RC1 being interviewed,

RC1 (01:03:32):

I not, I never received notice that I was not moving past the phone screening.

Brenda Bannon (01:03:41):

When did you, or were you ever informed that you were, thank you for the time, but we're not moving you forward in the interview process?

RC1 (01:03:57):

I don't, wasn't notified. I mean, I had my phone screening and that was it. Okay.

Brenda Bannon (01:04:06):

And it sounds like, so please correct me if I'm wrong, that before learning that RC1 was selected as RC1, you had learned, it sounds like secondhand that RC1 had gone forward with an in-person interview. Is that correct? Yes. Yes.

RC1 (01:04:27):

Yes. We knew that she had interviewed prior to an announcement.

RC1 (01:04:34):

Okay.

Brenda Bannon (01:04:44):

So you had earlier said that you knew you weren't going to be selected because you didn't have a four year degree, yet you applied for the position hoping that you would still be selected, correct?

RC1 (01:04:56):

Well, I applied because you always want to kind of just put yourself out there. I mean, if nothing else, the interview experience helps to have those experiences and go from there. But the realization was, I don't have a degree. The position description showed that there was a degree required, so my thinking was that there wasn't a possibility

Brenda Bannon (01:05:22):

Of that

RC1 (01:05:22):

Happening.

Brenda Bannon (01:05:22):

Did you take time to sort of Google RC1 ? At the time the announcement came out that she was the selected person.

RC1 (01:05:32):

I don't have a memory of doing that,

Brenda Bannon (01:05:35):

And so

RC1 (01:05:35):

I don't know.

Brenda Bannon (01:05:36):

Did you first learn that she was a person of color when you first met her?

RC1 (01:05:41):
I believe so. I don't remember that prior to.

RC1 (01:05:47):
Okay.

RC1 (01:05:48):
So she came into the office one time? I think before she actually started. She came through.

Brenda Bannon (01:05:59):
Is that when you met her?

RC1 (01:06:01):
I believe so. To be honest with you, I don't remember our first meeting.

Brenda Bannon (01:06:08):
Okay. You don't remember your first meeting at all?

RC1 (01:06:13):
I don't. I think that, I feel like she came in because on our, we had a Halloween celebration every year, and I feel like she came in that day and she was with, I think the executive at the time and coming through and meeting people at that time

Brenda Bannon (01:06:40):
Before Halloween,

RC1 (01:06:43):
I think it was on Halloween or whatever day we did our Halloween celebration.

Brenda Bannon (01:06:49):
Why it wasn't on, that may have been it.

RC1 (01:06:52):
Well, because I remember that she came in, I believe on that day, but I don't remember any kind of interactions with her before that.

Brenda Bannon (01:07:06):
And she was with Bruce?

RC1 01:07:08):
I think. So.

Brenda Bannon (01:07:11):

What do you remember about that?

RC1 (01:07:13):
Just that that's always an exciting day because we would have a lot of people coming through and it was just an opportunity to kind of show this new person the types of things that we do in the office, the types of community type events we like to put together.

Brenda Bannon (01:07:35):
Okay. Did you talk to RC1 at the time?

RC1 (01:07:41):
I don't remember. I don't remember having a conversation with her.

RC1 (01:07:57):
Okay.

Brenda Bannon (01:08:03):
So officially, once RC1 came to the clerk's office after her hire on RC1, you don't recall when you first actually had an in-person meeting with her?

RC1 (01:08:15):
We never had in-person meetings with her initially, so I

Brenda Bannon (01:08:21):
Never, I'm talking about you and her having some kind of, hello, how are you? My name is that kind of meeting. You don't recall that?

RC1 (01:08:30):
I don't remember that in that interaction. I know that we never had any kind of sit down meetings regarding anything hurt with her early on. Then like I said, I don't remember what our first interaction was.

RC1 01:08:53):
Okay.

Brenda Bannon (01:08:58):
When did you first learn where she was from?

RC1 (01:09:06):
I don't, to be honest, I don't remember. I think I would assume before she got there.

Brenda Bannon (01:09:16):
How?

RC1 (01:09:18):
I don't know. I don't remember. I can't, I mean, there was lots of conversations happening, but yeah, I don't recall.

RC1 (01:09:37):
Okay.

Brenda Bannon (01:09:50):
Were you of the belief that RC1 should have been hired over RC1 ?

RC1 (01:09:58):
Didn't have an opinion.

Brenda Bannon (01:10:00):
Okay. Were you of the opinion that RC1 wasn't qualified for the position?

RC1 (01:10:09):
I was not of that opinion. I didn't know of her. I felt like if the county made that decision, I would have to trust that they believed that she was the best person for the job.

RC1 (01:10:21):
Okay.

Brenda Bannon (01:10:47):
Did you yourself ever put together sort of a packet or an email or some other kind of memoranda to describe to RC1 what your role was and what you did and sort of the organization of the workplace from your chair since you'd been there for such a long time?

RC1 (01:11:05):
I don't put anything like that together.

Brenda Bannon (01:11:06):
Okay. To your knowledge, Kevin, the former clerk, put anything together and leave it behind as an onboarding tool for RC1 when he left?

RC1 (01:11:23):
I'm not aware that he did anything like that.

Brenda Bannon (01:11:25):
Okay. All. And had you been asked by Kevin, the former clerk, to put anything like that together to assist with the transition process? Pardon me,

RC1 (01:11:41):

It was not. No.

RC1 (01:11:42):
Okay.

Brenda Bannon (01:11:54):
Do you know whether Kevin clean up his office to make the transition for RC1 comfortable before he left?

RC1 (01:12:02):
No. If he did or not,

Brenda Bannon (01:12:03):
You don't know?

RC1 (01:12:04):
I don't know.

Brenda Bannon (01:12:05):
Do you still keep in touch with Kevin?

RC1 (01:12:07):
No, I haven't spoken with him. I can't even remember the last time.

RC1 (01:12:13):
Okay.

Brenda Bannon (01:12:22):
What do you think approximately the last time? I

RC1 (01:12:33):
Really don't know. I mean, definitely hasn't been since I've been

Brenda Bannon (01:12:36):
Here. Say that again.

RC1 (01:12:40):
It definitely hasn't been since I've been in this office.

Brenda Bannon (01:12:43):
Okay. So definitely not in the last six months, is that what you're saying?

RC1 (01:12:47):

No, definitely not in the last six months.

Brenda Bannon (01:12:50):
What about last year? 2024?

RC1 (01:12:55):
Like I said, I really don't remember what our last interaction was.

RC1 (01:12:58):
Okay.

RC1 (01:13:00):
Yeah, it's been a long time.

Brenda Bannon (01:13:14):
So it sounds like you agree that your coworkers were generally, I'll just use the term, gets fairly… neutral, frustrated with their employment under the new clerk, but it sounds like also at the same time, you don't recall any of your coworkers using racial terms, racial animus, slurs, jokes, pejorative comments, connected to race when they were talking about RC1. Is that true?

RC1 (01:13:44):
That is true. That is accurate.

Brenda Bannon (01:13:45):
Okay. Anything else that you think I should know as I'm conducting this investigation?

RC1 (01:14:03):
I don't think so. There's nothing more than I have.

RC1 (01:14:12):
Okay.

Brenda Bannon (01:14:20):
Alright. So it is two 17. RC1 with your permission, we'll go off the record.

RC1 (01:14:30):
Yes.

Brenda Bannon (00:00:01):

So we're on the record. According to my computer it is 10. Oh, RC1 [redacted], do I have your permission to record our conversation?

RC1 [redacted] (00:00:10):

Yes, you do, Brenda.

Brenda Bannon (00:00:11):

Thank you so much. So I have been retained by Pierce County through the prosecuting attorney's office to conduct a outside impartial workplace investigation. As you know, we are conducting this investigation, this interview remotely. So I'm in a private workspace with nobody else present to protect the confidentiality of this personnel matter and investigation. Are you also in a private workspace with nobody else present?

RC1 [redacted] (00:00:41):

Yes.

Brenda Bannon (00:00:42):

Thank you so much. So I am with the law firm of Ogletree Deacon. So although I am an attorney for purposes of this investigation, I've been retained to conduct a factual investigation. So I'm not here to provide legal advice or to provide legal opinions. I'm here to gather the facts, evaluate the facts, and report the facts. I'm reporting out to a prosecuting attorney's office. I can only infer I'll be reporting out to other people, but I haven't received any particular direction on that front yet, RC1 [redacted] and in all likelihood, it'll be a combination of verbal report out and written report out, but again, I don't have any particular direction at this point, and it just depends on the circumstances. The most important thing for you as a witness, a participating witness in this matter is to be as honest and candid and forthright with me as possible.

(00:01:38):

I remind everybody that I meet with that it's important to refrain from engaging in communications or conduct that could be construed as attempting to influence or impede the investigation or to pressure anyone to participate in a particular way. As you know with Pierce County, it does have public disclosure laws that it has to comply with. So if anyone were to ask for any portion of my investigation while it's pending, I would refer that to somebody else. It would be somebody else's decision in the legal department. But ordinarily the investigation stays with me while the investigation is pending. The other thing I want to highlight, and I try to remind folks about this, the Pierce County as an entity does have non-retaliation policy provisions. So if at any time you had reason to think that you were experiencing any form of retaliation, I would encourage you, even though you're now a former employee of Pierce County, I would still theoretically pull you into that protection and I would encourage you to report out to whomever you think would be appropriate. I would like to know if you have that sense as well. So I think that covers what I would want to cover in an introductory sort of explanation with you. Is there anything else that you have questions about or now that I've said some of those things that jogs a comment or a question?

RC1 [redacted] (00:03:11):

No, I do not have any questions at this time.

Brenda Bannon (00:03:14):

Okay, perfect. Thank you. So RC1 just very briefly, could you just very, very high level, tell me what your last title was before you left Pierce County and what your roles were?

RC1 (00:03:31):

I was serving as a RC1 of the county, which is a central management finance department for county government.

Brenda Bannon (00:03:44):

Thank you. And you left in RC1 is that correct?

RC1 (00:03:49):

Yes. At the end of RC1

Brenda Bannon (00:03:51):

You retired?

RC1 (00:03:53):

RC1 I retired.

Brenda Bannon (00:03:54):

Okay. And how long had you been with the county of Pierce County at that point?

RC1 (00:04:01):

I believe it would be around RC1 .

Brenda Bannon (00:04:03):

Okay. And how many direct reports people that reported directly to you did you have?

RC1 (00:04:13):

We count them up.

RC1 (00:04:25):

There were five direct reports.

Brenda Bannon (00:04:27):

Okay, thanks. Do And do you know RC1 ?

RC1 (00:04:38):

Yes.

Brenda Bannon (00:04:39):

And how do you know her?

RC1 (00:04:42):

RC1 was RC1 and I had worked with RC1 as I had with other department or elected officials leave in the role that she had as being RC1.

Brenda Bannon (00:04:58):

Okay. And you were RC1 and she was RC1. Were you on the same level of the org chart or was it different?

RC1 (00:05:08):

The same level of the organization chart in respect to that? We reported to the RC1. Okay.

Brenda Bannon (00:05:22):

Do you recall at some point you started working with RC1 with regard to sort of addressing finance issues that were raised in a state auditor's office audit report?

RC1 (00:05:40):

Yes, I do.

Brenda Bannon (00:05:40):

Okay. And approximately when did that all kind of come to your attention and to the extent that you needed to put some direction and attention onto it?

RC1 (00:06:06):

I am getting the years correct here. It was I recall in the summer or fall of 2023 and the issues were raised in part based upon concerns that were expressed at the county about some of the financial transactions within the clerk's office not being completed. And the finance department internal auditor completed a review of areas that were associated with the financial transactions and actions were initiated to address the areas of concern. And then the state auditor initiated an audit and the audit results had come out more than a few months after the issue were raised with us. And then the finance department with support primarily of the internal auditor, myself and accounting staff provided assistance to the clerk's office in addressing at that time, which were audit findings.

Brenda Bannon (00:07:31):

Okay. So I'm going to summarize it in a kind of lay person's way and tell me if this is accurate. So there were some internal concerns that were raised regarding financial issues in the clerk's office that were first looked into by the county's internal auditor, is that correct?

RC1 (00:07:51):

Yes.

Brenda Bannon (00:07:52):

And then the state auditor also conducted review of the clerk's office financial issues and entered some audit findings. Is that correct?

RC1 (00:08:05):
Yes.

Brenda Bannon (00:08:06):
And you got involved at both levels, is that correct?

RC1 (00:08:13):
Yes.

Brenda Bannon (00:08:14):
Okay. And then when the state auditor entered findings, you assisted the clerk's office specifically I would say RC1 to respond to the audit findings. Is that accurate?

RC1 (00:08:29):
Yes. Along with us from the finance department, I was both providing assistance to RC1 and her RC1 person.

Brenda Bannon (00:08:42):
Who was the finance person?

RC1 (00:08:44):
First name is RC1

Brenda Bannon (00:08:47):
Spell that for me.

RC1 (00:08:51):
Pardon?

Brenda Bannon (00:08:51):
Could you spell that for me?

RC1 (00:08:54):
I would need to look at the spelling for you.

Brenda Bannon (00:08:57):
Was it a RC1 as in RC1 Or RC1 as in man, Ika RC1

RC1 (00:09:03):
RC1

Brenda Bannon (00:09:04):
RC1 as in RC1 Okay. And what's RC1 's last name?

RC1 (00:09:12):

I would need to look at.

Brenda Bannon (00:09:14):

Okay, no worries. I'm sure I can find out. Okay. So it sounds like although RC1 had come to the prosecutor's, excuse me, to the Pierce County employment in late RC1, you only started working with her more closely in summer of 23. Does that sound about right?

RC1 (00:09:38):

With regard to the issues associated with the audit, but we as a finance department and I as a RC1 was engaged with RC1 on our staff on the preparation of budgets for the clerk's office during the time period after she joined the county.

Brenda Bannon (00:09:59):

Okay. So really throughout her employment you've had reason to be working with her, is that correct?

RC1 (00:10:06):

Yes.

Brenda Bannon (00:10:08):

Okay. All right. Thank you so much. So RC1 do you recall when you first, if ever received any concerns stated by RC1 regarding her perception that she was treated differently by clerk's, office staff due to her race or the color of her skin?

RC1 (00:10:52):

Yes.

Brenda Bannon (00:10:53):

Okay. And I want to give you a moment to think about your answer. Do you recall when RC1 first raised any concern like that directly to you?

RC1 (00:11:16):

Directly with me would've been as I was at a steering committee, a diversity equity inclusion steering committee meeting, and I was a member of that committee and RC1 raised concerns about racism within the clerk's office.

Brenda Bannon (00:11:43):

And so that's the context where it was raised. When was it raised? Take your time.

RC1 (00:12:00):

Yeah, without a calendar before me, I'm not going to be able to identify the specific date, but it was well over a year ago. Okay.

Brenda Bannon (00:12:13):

In terms of the year, we can rule out 2025, correct? It didn't happen this year,

RC1 (00:12:21):
Yes.

Brenda Bannon (00:12:23):
Do you think it happened in 24,

RC1 (00:12:29):
Early 24 or potentially 23.

Brenda Bannon (00:12:32):
Okay. And what kind of document would you refer to that might jog your memory regarding that particular issue?

RC1 (00:12:45):
Would need to look at my calendar or look at emails associated with the agenda for those meetings.

Brenda Bannon (00:12:58):
Okay. And you referred to it as the steering committee?

RC1 (00:13:07):
Yes, there was a, I believe the title was steering committee. There was a committee comprised of directors or lead administrators from elected officials office that was overseeing the diversity, equity and inclusion initiatives of the county and I served on that committee as RC1 .

Brenda Bannon (00:13:32):
Okay.

Brenda Bannon (00:13:42):
Go ahead, if you could, RC1 and tell me what exactly to the best of your recollection, what RC1 shared you refer generally racism in the clerk's office. Can you elaborate please?

RC1 (00:14:09):
The agendas of the committee were to review initiatives that were being put in place to foster DEI initiatives throughout the county. And it was in the context of departments reporting out on the initiatives that they were pursuing that RC1 indicated the challenges that she was confronting within the clerk's office and stated that there were staff within the clerk's office who were acting in a discriminatory manner and that because of the difficulty or the challenges that she was confronting, she concluded that she wanted to step aside as a member of the steering committee because of the difficulties that she was confronting.

Brenda Bannon (00:15:19):

Okay, thank you. RC1 do you have a recollection of the emotional content of the communication by RC1 at that time?

RC1 (00:15:30):
Yes.

Brenda Bannon (00:15:32):
Please describe it.

RC1 (00:15:36):
RC1 indicated the concerns that I described to you but also teared up during her sharing those concerns with the steering committee members.

Brenda Bannon (00:15:53):
Okay. And to the extent that you have any recollection about tone of voice, raised voice, anything else about the sharing and what that sounded like? Are you able to describe it?

RC1 (00:16:14):
There was not raised voice. It was expressing very, very emotionally where she was confronting as RC within her office. I believe she also indicated that she valued the support that she was receiving from members of the steering committee in pursuing the DEI initiatives and shared that I believe at that meeting also.

Brenda Bannon (00:16:53):
Okay. To your recollection, did RC1 step down from participating in the steering committee after that?

RC1 (00:17:05):
Yes, she did, but I believe that she, well she did then return to participate in subsequent activities, but did step aside for some time.

Brenda Bannon (00:17:18):
Do you recall about when she returned?

RC1 (00:17:23):
It would've been a few months later.

Brenda Bannon (00:17:27):
Do you know what prompted the return?

RC1 (00:17:34):
There were some, I am getting the sequencing through my memory. There were some workshops associated with department DEI activities and I recall if she participated in those workshops also.

Brenda Bannon (00:17:55):

Do you recall what prompted the return to the steering committee?

RC1 (00:18:07):

This would be my perception, but it would be a question for RC1, but I believe it demonstrated her commitment to the DEI agenda and wanting to continue fostering the values that the county had committed to.

Brenda Bannon (00:18:28):

Okay. So I'm probably taxing your memory. I know in your role as the RC1 of Pierce County, super busy guy lost on your plate. So if you don't know the answer, I do appreciate that. RC1 do you have a sense of the timing of this particular steering committee when it happened in terms of RC1 expressing that she's experiencing racism in the clerk's office, the timing of that event as connected to to when the Pierce or the Tacoma Tribune was reporting on the state auditor's office findings,

RC1 (00:19:35):

I am not going to be able to connect the sequence of those events without a calendar

RC1 (00:19:41):

Or

RC1 (00:19:41):

Emails.

Brenda Bannon (00:19:48):

And do you also recall RC1 there was the Tacoma Tribune, the News Tribune reporting on some allegations by clerk's office staff of hostile work environment

RC1 (00:20:09):

Generally, yes.

Brenda Bannon (00:20:10):

Okay. Do you recall when those articles started to appear in connection to either this steering committee meeting that you've just described or the news reporting on the state auditor's office findings?

RC1 (00:20:31):

No, I'm not able to identify those specific dates.

Brenda Bannon (00:20:37):

Okay. But general timeframe, I'm not asking for a specific date. Do you have a sense of whether they're all happening in the same general timeframe, different years, or any sense about that?

RC1 (00:20:52):

My focus on the news Tribune articles were primarily associated with the allegations that were made with regard to financial practices and those were commensurate with the audit being conducted. So those were very close together.

Brenda Banon (00:21:11):

Okay.

Brenda Bannon (00:21:15):

Are they connected in time to the steering committee meeting that you're recounting

RC1 (00:21:24):

Without checking a calendar and other documents? I'm not able to.

Brenda Bannon (00:21:29):

Okay,

(00:21:30):

I appreciate that. I just wanted to make sure. Okay, thank you. So it's been recounted in a number of different ways by a number of different people that there were sort of new initiatives and new protocols being put in place by RC1 as she came into office at the clerk's office and as she learned her role and learned what the needs were and kind of moved forward with her staff. So my question to you is, as RC1, are you familiar yourself with particular new protocols or policies or programs that were put in place by RC1?

RC1 (00:22:26):

Yes. And I can comment on particularly those that related to the responsibilities of the finance department. So one of the changes that was made to ensure that there was a responsibility for filing unclaimed property tax reports with the State Department of Revenue to meet the deadlines. So there was defined functions and responsibilities that were put in place. There were also defined responsibilities with regard to the transfer of resources that were collected by the clerk's office and some of those resources were transferred to a law library, so practices put in place to ensure that those were being completed on a timely fashion and then responsibilities associated with the financial transactions themselves and reporting those financial transactions to the office administrator of the courts and ensuring that those transactions both complete and timely. And then there was a focus on reconciling reports that were previously filed with the state office administrative of the courts to ensure the accuracy of those reports. And those are documented in materials that were prepared to be shared with the state auditor to indicate that actions were taken to address the findings in the state audit

RC1 (00:24:23):

And

RC1 (00:24:24):

There was assistance on working through that reconciliation. There was other assistance provided by staff within the finance department in addition to the internal auditor later.

Brenda Bannon (00:24:43):

So is what you just said that your office staff provided assistance to respond to the state auditor's office on these issues, but also to help formulate and put in place these new protocols?

RC1 (00:24:57):

Yes. Okay. The other area that finance department assisted the state auditor's office on related to records retention is they require records that are maintained by the clerk's office. Many of those records had been maintained in a paper format within the clerk's office. So the finance department that has responsibility for archiving and electronic records provided support to the Clerk's office to transfer printed records to the records center, which is an archive center, and also provide them guidance on maintenance electronic records. So it was both financial and records management responsibilities that we primarily assisted the clerk's office on and that I observed what actions were being taken to make those improvements to practices.

Brenda Bannon (00:26:05):

Okay. So I have two follow-up questions on that. The first one is, were many of these issues inherited from the prior county clerk? Kevin, what was his name? Stocks stock

RC1 (00:26:18):

Was a prior clerk? Yes. In response to your question.

Brenda Bannon (00:26:21):

Okay. So some of this just wasn't getting done before.

RC1 (00:26:32):

Some of the practices that I described to you were not done before. Some of them were done before. An example, the transfer of the information to the State Department of Revenue for unclaimed property was done before, and to my knowledge was meeting the deadlines. There was one time that it was missed. And with regard to the transfers of the data and the timeliness and accuracy of the data to the administrative office of the court and the separation of duties and the management of cash within the office, those practices were from what we, I concluded after the audits were conducted, those were not completed in a timely or thorough fashion under the leadership of the prior clerk.

Brenda Bannon (00:27:33):

Okay. Thank you. What about records retention? Was there appropriate records retention being managed by RC1 stock from your review of the situation

RC1 (00:27:56):

You used the term appropriate? So let me expand on the reference to that. Term records were being retained. They were not being retained in a consistent disciplined fashion. So I don't want to convey that records were not being maintained, but records retention also has the responsibility of maintaining the records in the appropriate format and for records that were no longer necessary to be retained than disposing of the records according to the record retention schedule as state and the county.

Brenda Bannon (00:28:36):

Okay.

Brenda Bannon (00:28:40):

So the records retention schedules were complied with to the extent that they were kept, but they never were destroyed purged consistent with the records, retention schedules. Is that a fair statement?

RC1 (00:28:56):

Yes. And some records of the Clerk's office have very, very long most permanent retention schedules. Others do have retention schedules. After a period of years the record can be disposed of.

Brenda Bannon (00:29:12):

So I'm going to ask you a very direct question and do your best to answer. I know you will. Did you have a sense along this path of exploring these issues, working on these issues, responding to these issues, addressing these issues, all of that, that RC1 was sort of overwhelmed by the amount of work that was ahead of her due to what you just described? It hadn't really been attended to before?

RC1 (00:29:55):

I would not use the term overwhelmed.

RC1 (00:29:57):

It

RC1 (00:29:58):

Was a broad area of functions that needed to be improved and that in my observation, the clerk's office and new staff that were brought into the clerk's office, I had begun to work through the areas that needed attention.

Brenda Bannon (00:30:17):

Okay. Broad area that needed to be approved. That's true. Improved. But in terms of your interface with RC1, did she express to you that she maybe overwhelmed was too strong, but in some fashion was feeling stressed out by the amount of work?

RC1 (00:30:49):

In my interactions with Con Center staff, it was conveyed that the volume was substantial. As I stated previously though, I observed that the clerk's office and the staff that were brought in, the new staff that were brought in were addressing the issues, addressing them over a period of time wasn't something that could be addressed immediately.

Brenda Bannon (00:31:17):

Okay. So that's a different thing. They were being addressed. But I was asking about your interpersonal conversations with RC1 in terms of her feelings about the amount of work. Did you have any conversations along those lines? If you didn't, you didn't, but I'm interested in hearing about it

RC1 (00:31:51):

As we were working to address the issues. Again, to the best of my recollection, there would've been comments that were made by RC1 about there being a substantial amount of problems within the clerk's office, which were not anticipated to be addressed.

Brenda Bannon (00:32:22):

Were there, for example, rats in the paper documents?

RC1 (00:32:32):

I did not observe that there were rats in the documents I had told by Clerk's office and I believe by staff of the facilities management department that there were, yes, that there were rodents within the office area.

Brenda Bannon (00:32:51):

Okay.

Brenda Bannon (00:33:02):

RC1 RC1 is he a staff person that's known to you?

RC1 (00:33:07):

Yes.

Brenda Bannon (00:33:07):

How do you know him?

RC1 (00:33:11):

RC1 served as a employee of the Clerk's office when I joined the county as one of the RC1 and then as the RC1 person. And then subsequently he had moved to the district court's office and the Superior Court's office.

Brenda Bannon (00:33:41):

Do you have interface with him in his role at the clerk's office so that you could form an opinion as to his competence in accounting?

RC1 (00:33:51):

In my interactions with RC1 when he was sitting in the clerk's office, it was related to budget preparation and budget implementation. And that was most of my interaction with them as he was employed in the clerk's office and the budget documentation that was prepared, the information that was brought forward to assist the executive and the council in determining what the budget would be, he's performance was hitting the mark. But I did not observe of the responsibility of RC1 and the staff within his office were the accounting transactions responsibilities, which were the issues that were raised by the internal review of the internal audit of the county internal auditor of the county and the state auditor.

Brenda Bannon (00:35:00):

So he was hitting the mark regarding the budget work product. But you don't know with regard to his competence as to the accounting transaction responsibilities, and if I'm understanding you, the state auditor's office findings raised questions regarding his competence in that area. Is that true?

RC1 (00:35:27):

Yes. Yes, because it was after the issues were raised on the transaction components that I became aware of the limitations within the office and the performance not meeting the standards. And some of that occurred when RC1 was with the Clerk's

RC1 (00:35:52):

Office. Okay.

Brenda Bannon (00:35:57):

So let me ask you this question. Did RC1 express to you at any time along the way when you did work with her addressing financial issues in the clerk's office? So this is an expansive question, so it's intentionally broad. **Did she ever express to you along the way perception that staff such as, I'm just going to use RC1 as example, that staff were just not cooperating with her because she was black or were not engaging with her trying to problem solve because of her race or acting as though they didn't remember answers to her questions due to her race or the color of her skin?**

RC1 (00:36:51):

RC1 did make in my presence statements similar to what you had described.

Brenda Bannon (00:36:59):

Go ahead and tell me about that.

RC1 (00:37:06):

I believe some of those comments were shared by RC1 when she spoke to the steering committee about racism within the office that staff were not responsive to her because of her race.

Brenda Bannon (00:37:22):

And that was the same steering committee meeting that you alluded to earlier?

RC1 (00:37:28):

Yes.

Brenda Bannon (00:37:29):

Okay. And is it your understanding that once RC1 raised her concerns in that emotional way at the steering committee, then that issue was elevated to RC1 and others to address? Is that your understanding?

RC1 (00:37:54):

Yes. I did raise the issue with RC1 and RC1, I believe or not meeting RC1 who's a member of the steering committee, was not in attendance at that meeting. But I stated to them that allegations very strong allegations of racism within the Clerk's office were raised and that the county needed to follow our protocols of having a review and dependent upon the conclusion of the review actions taken to address the issues that were raised.

Brenda Bannon (00:38:42):

Okay. So you answered my question by referring again to the steering committee event where RC1 raised raised concerns in a public way. So my question, and I appreciate that, but my question was actually intending to elicit whether or not **in an organic way when you worked with and alongside** RC1 addressing issues in the clerk's office on the financial side of things and responding to the auditor's office findings, for example, or reconciliation issues for example, or records retention issues as another example, whether along the way there were those kinds of comments, passing remarks, **frustrations shared at any level with you that she felt like she wasn't able to get information from her staff or have fully responsive information from her staff due to her race?**

RC1 (00:40:00):

We certainly had discussions about the staff not being responsive in my presence statements, particularly with regard to it being associated with her race are later.

Brenda Bannon (00:40:20):

Okay. Did you have any conversations with RC1? When you say later, outside of that single steering committee event?

RC1 (00:40:37):

There were other times when we, RC1 myself, RC1, and there may have been others in the meetings, discussing how we were working to address the improvements that needed to be made in the financial transactions. **And there were comments made by RC1 about the staff within the department in her perspective, not being responsive to her because of her race**.

Brenda Bannon (00:41:14):

This occurred after the steering committee event, is that correct?

RC1 (00:41:30):

In my recollection, yes. And this would be in response to your question in my presence did RC1 raise those issues.

Brenda Bannon (00:41:41):

Okay. Thank you.

Brenda Bannon (00:41:59):

I am going to give you a list of names and ask you this question about it. Okay. Along the way, while you were working with RC1 did she express to you concerns about these particular individuals not cooperating with her or not providing her with information when she requested it or answered her questions? And so I'm going to go kind of quickly, but we can return to them. RC1

RC1 , RC1 , we've talked about some. RC1 , RC1 , RC1 , RC1 .

RC1 (00:42:44):

Okay. Let's go through the names again. First name RC1 . Yeah, she may have referenced his name, but I did not work with him. RC1 Yes. RC1 ? Yes. RC1 ? Yes. RC1 RC1 Yes.

Brenda Bannon (00:43:07):

Okay. What do you recall, I'm putting you on the spot, so sorry about that. What do you recall regarding anything said by RC1 with respect to RC1 ? I

RC1 (00:43:27):

Guess would be generalized statements other than RC1 that **she did not view RC1 as being supportive of her in her role.**

Brenda Bannon (00:43:42):

Okay. And with regard to RC1 , anything else?

RC1 (00:43:49):

RC1 was an employee of the Clerk's office for a number of years, and my memory is that RC1 placed her in the position of RC1 because of her understanding and background of the clerk's office. And **then RC1 was not being responsive to or supportive,** I can put it out later, supportive stance saying RC1 was not supportive of her, and then RC1 subsequently left the clerk's office.

Brenda Bannon (00:44:31):

Okay. **Any specific examples brought to your attention regarding lack of support or lack of responsiveness?**

RC1 (00:44:47):

Not specific ones.

Brenda Bannon (00:44:51):

Okay. And with regard to RC1 , what do you recall regarding her

RC1 (00:45:01):

That **her name was mentioned by RC1 is not supporting her**?

Brenda Bannon (00:45:09):

Any context for that that you can recall?

RC1 (00:45:15):

I think the context was when she had left the clerk's office that RC1 sent me to come and she was not supportive of it.

Brenda Bannon (00:45:25):

Okay. I

Brenda Bannon (00:45:44):

Does the name RC1 or RC1 come to mind?

RC1 (00:45:52):

No, not for me.

Brenda Bannon (00:45:53):

Okay.

Brenda Bannon (00:46:06):

I don't know if this is a question you can answer, but I'll go and head and throw it out there and we'll see. In terms of the responsibilities globally of the Clerk's office, the duties and responsibilities of RC1, what percentage would you attribute to that office as financial responsibilities?

RC1 (00:46:38):

This is a quick response, maybe 25%.

Brenda Bannon (00:46:42):

Okay. And did you have a sense that RC1 had the background and experience to be kind of rolling up her sleeves and addressing the financial responsibility problems? I'll just use the word problems as they were that she inherited when she came into office.

RC1 (00:47:09):

See the description of RC1 background and former position was such that I understood she had the experience to be able to perform all the functions of RC1 in the house.

Brenda Bannon (00:47:27):

And when you worked with her to address the issues that came to light, that came to your attention either through the county's internal auditing processes or when the state auditor's office conducted its audit and entered its findings, did you find that to be true that RC1 did in fact have the acumen to address these complex set of issues?

RC1 (00:47:58):

Yes, from a management responsibility, I would not expect because position of RC1 or a position of a director to know all the details of a financial system, financial transaction system. But RC1 participated in the meetings, participated in the actions there should be taken, participated in tracking the status of the actions to be taken in order to improve the practices.

Brenda Bannon (00:48:33):

Okay.

Brenda Bannon (00:48:37):

By the way, were you ever privy, did you have any knowledge of anything that sounded like a RC2 that occurred at the workplace by RC1 ?

RC1 (00:48:51):

No, I don't. I could have a moment.

Brenda Bannon (00:49:16):

Okay. So let me ask you this question. Are we good?

RC1 (00:49:25):

We're good.

Brenda Bannon (00:49:26):

Okay, no problem. Let me ask you this question. After the DEI steering committee event wherein RC1 raised her concerns in an emotional way about racism in the clerk's office, it sounds like you encouraged and perhaps recommended that the executive office take affirmative steps to look into those issues. Is that a fair statement?

RC1 (00:49:59):

Yes, it is.

Brenda Bannon (00:50:00):

Okay. And did anybody that you sort of caucused with collaborated with on that problem, IE, RC1 RC1 , perhaps RC1 **ever say to you, well, we've heard about this before.**

RC1 (00:50:31):

Yes.

Brenda Bannon (00:50:32):

And who was that?

RC1 (00:50:37):

The individuals that you mentioned? RC1 and RC1 and RC1 .

Brenda Bannon (00:50:43):

Go ahead and tell me about that.

RC1 (00:50:54):

My memory is that they stated that they had heard some of these allegations previously and that the Human Resources department was working with RC1 in the clerk's office to address the issues that were raised.

Brenda Bannon (00:51:17):

Any more detail provided to you on that?

RC1 (00:51:25):

That there was, I believe, a staff person that was to be assigned to review the allegations and that there was consideration to identifying a person that could be a mentor or a coach for RC1 to assist her in her fulfilling her responsibilities.

Brenda Bannon (00:51:54):

Okay.

Brenda Bannon (00:51:58):

And when you indicated that perhaps RC1 or RC1 or RC1 had heard about these issues previously, did anyone tell you specifically what they had heard previously?

RC1 (00:52:19):

I

RC1 (00:52:32):

Believe that there was reference to an employee that was not performing his respons responsibilities and that there was corrective action being taken in order to address his performance.

Brenda Bannon (00:52:49):

Do you know who

RC1 n (00:52:52):

I'm remembering that it was a male? Dont recalling the name.

Brenda Bannon (00:53:01):

Okay.

Brenda Bannon (00:53:05):

And it sounds like you didn't inquire prob well, who and what do you mean and when? Anything like that? Is that a true statement?

RC1 (00:53:18):

Yes. This is a personnel issue, an allegation of discrimination…

Brenda Bannon (00:53:24):

Not …. that you should have. I'm just asking whether you did.

RC1 (00:53:28):

I did not. I viewed it as being the responsibility of the Human Resources Department. And what was shared with me is that actions were being taken to review and dependent upon the conclusion of that review address the issues that were raised.

Brenda Bannon (00:53:55):

Thank you. And these conversations would've occurred after the event at the steering committee? The DEI steering committee? Correct.

RC1 (00:54:05):

My memory on the sequencing of those conversations is yes.

Brenda Bannon (00:54:08):

Okay. Thank you. And I don't want to leave this overly vague, so that's why I'm asking this follow-up question. When either RC1 or RC1 or RC1 told you that they had heard about issues previously, is it your recollection that they had heard issues previously of people not cooperating with RC1 people making life difficult for RC1 people not assisting RC1 Or was it connected to those same issues and because of her race that they had heard about before?

RC1 (00:54:56):

My memory is that the two were associated shaded**. I don't recall that the group of individuals that you had listed previously in a question that the attribution of there being not cooperation was motivated by racism.** I don't recall that being associated with each of those individuals. It was a general statement, is what I remember.

Brenda Bannon (00:55:26):

Okay.

Brenda Bannon (00:55:44):

So I want to make sure I understand what you just said. When you were working with RC1 on addressing financial issues, issues, did she ever say that and RC1 wasn't helping her because of her race?

RC1 (00:56:07):

Not in my presence.

Brenda Bannon (00:56:10):

And did she ever say that RC1 was not helping her assisting or supporting her because of her race?

RC1 (00:56:18):

No. To me that I'm recalling.

Brenda Bannon (00:56:21):

And did RC1 ever say that RC1 wasn't assisting or supporting her because of her race

RC1 (00:56:46):

Being responsive to your question? Very specifically the names that you identified? I'm not recalling that in my presence there was specific reference to those individuals not being supportive because of RC1 race, and I'm not remembering the person's name, but **there was a male employee within the office who I remember was identified by RC1 as indicating that he would not support her because of her race.**

Brenda Bannon (00:57:28):

And when was that male employee referenced by RC1 in your presence? I

RC1 (00:57:41):

That may have been at the steering committee meeting or could have been in conversations with RC1 that I had referenced previously.

Brenda Bannon (00:57:56):

You're not sure, it sounds like you seem to have frozen. Are you there?

RC1 (00:58:15):

Yeah, it froze for a bit, but I can hear you now and

Brenda Bannon (00:58:20):

Thank you.

RC1 (00:58:20):

I can see you moving.

Brenda Bannon (00:58:21):

We're a little glitchy at the moment for some reason. Okay. I can hear you fine. Are you able to hear me?

RC1 (00:58:29):

Yes, yes I can.

Brenda Bannon (00:58:31):

So you're not sure whether or not this male employee was mentioned for the first time by RC1 to you at the steering committee meeting or if it was at some other time?

RC1 (00:58:46):

That's correct.

Brenda Bannon (00:58:50):

Is it a fair statement given the way you operate that if you'd heard RC1 tell you that a male employee wasn't supporting her expressly because she was black or due to her race, that you would've brought that to the attention of folks that addressed those issues at the county?

RC1 (00:59:11):

Yes, and I believe I responded to your prior question that I did raise those issues when I became aware of them with the executive's office.

Brenda Bannon (00:59:23):

Thank you. Okay, so I've asked you a lot of questions and you've been very patient with me. I know some of my questions are a bit uncomfortable at times. Is there anything else that you think I should know, RC1

RC1 (00:59:43):

Well, the context, Brenda, that I think is coming across in my responses to your questions is that I personally observed and heard certain allegations, some of the detail that you are asking me about, I did not observe or did not participate in discussions that may have assisted me in providing a detailed response to your questions.

Brenda Bannon (01:00:16):

Okay, thank you. Alright, so it's now 1104. With your permission, we'll go off the record. Yes,

RC1 (01:00:37):

I concur.

Brenda Bannon (01:00:38):

Okay.

Brenda Bannon (00:00:02):

Okay, so I'm showing you my digital recorder. We're on the record. According to the computer, it's 9 0 8 in the morning, and it is February 13th, 2025. My name is Brenda Bannon. I'm with the law firm of Ogletree Deacons. I'm meeting remotely with RC1 Is that correct?

RC1 (00:00:28):

RC1 but yes,

Brenda Bannon (00:00:29):

RC1 Thank you. RC1 do I have your permission to record our conversation?

RC1 (00:00:34):

You do.

Brenda Bannon (00:00:35):

Thank you so much. So we are meeting in a confidential space. This is a remote interview. I'm in a closed workspace with nobody else present to protect the confidentiality of the investigation. And this confidential personnel matter. Are you also in a closed door workspace with nobody else present?

RC1 (00:00:59):

Correct. Yes.

Brenda Bannon (00:01:00):

Okay, thank you. So as you were informed just recently, and I tried to explain to you just a bit before we got started, I have been retained by Pierce County as an outside impartial workplace investigator and through the prosecuting attorney's office to conduct a workplace investigation regarding allegations of potential race discrimination, hostile work environment allegations that were brought here by the RC1. In that capacity, my role is to gather factual information and evaluate the facts and report the facts, and then I individually am removed from any decision making that might occur once the investigation has concluded. And I would be reporting out either verbally or in writing to the prosecuting attorney's office. It could be both. It oftentimes is, it just depends on the circumstances. I haven't received any particular direction on that front yet.

(00:02:11):

I am an attorney, but I'm not providing legal advice in this investigation or providing legal opinions. I'm the fact finder. So I want to make that clear to you as a witness and potential subject. The most important for you, RC1, is to be as honest and candid and forthright with me as possible. I try to remind everybody who participates in these investigations that it is important to refrain from engaging in any sort of communication or conduct that could be construed as attempting to influence or impede the investigation or to pressure anybody else to participate in a particular way.

(00:02:56):

This is a public entity, Pearson County. So it does have public disclosure requirements that it has to comply with. Of course, we talked a little bit before we got started that if I were to receive any requests for any portion of my file, I would refer that inquiry to the legal advisor. But I can say, based on my experience ordinarily, the file materials stay with me while the investigation is pending. I also try to

remind everybody that the employer's policy does protect witnesses from retaliation for their participation in this investigation. So that is there as well. I would encourage you, and I'm just going to say for the record, you're tearing up a little bit by at this point, and you've expressed going into the interview that you have concerns about your participation. But I definitely would encourage you to reach out to, you could reach out to your supervisor, right? And you could reach out to really anybody at hr. And you can also inform me while the investigation is pending, if you have concerns in the aftermath of your participation.

RC1 (00:04:17):

I appreciate that. I'm not so much concerned about retaliation. I mean, what I'm concerned about is that, oh, go ahead. Sorry. I'll let you continue. No,

Brenda Bannon (00:04:29):

That's okay. What are your concerns?

RC1 (00:04:32):

Just that this,

RC1 (00:04:41):

I mean the hostile work environment and things, I believe I was a target of and took that to hr. I did what I was supposed to do, took it to hr, took it to the executive's office, and I was told that the documentation that I provided was problematic and things that I reported, documentation that I reported and I gave about a hostile work environment and about being targeted and about being isolated and about being sabotaged. Those would be problematic if they could be confirmed, which I understand. But then HR, after multiple contacts told me that based on legal counsel, they would not be conducting an investigation. So none of those things that I reported could be confirmed. And that hostile environment continued to the point where I left a job that I love. RC2

(00:05:59):

It was a terrible environment to be in, to be targeted like that and to be sabotaged by RC1 So it's, the irony is what I feel like she's saying is happening to her is what she created for people. For whatever reason, she didn't like, I don't know why she targeted who she targeted. And it didn't start out that way. It didn't. So I know you talked about or, so I guess that's the frame that I'm coming in with, is that I am hopeful now that there won't be retaliation because I'm no longer in that office, but I've worked for the county for, it'll be RC1 this fall, and I've never had the interaction with HR that I've had.

(00:07:09):

I've never had to do these interviews. I've never had to call and ask them questions. You're professional and you act like an adult. And I don't like that I'm crying. I don't like that this has had an impact on my life. It was actually my husband that told me, you're done. You need to get out of there. We are not doing this anymore. And I feel badly for her. I don't think she's a happy or I don't know why. I can't imagine she's a happy person, but I don't know. That has nothing to do with neither here nor there.

Brenda Bannon (00:07:47):

Okay. Alright. Well, let's try to get through this quickly to get it out of your hair. That's okay. And please don't apologize for feeling emotional. Your feelings are your feelings. Okay?

RC1 (00:08:05):
Yeah.

Brenda Bannon (00:08:05):
Yeah.

RC1 (00:08:06):
I'm just tired. Maybe I'm apologizing myself. I'm tired of crying over this situation.

Brenda Bannon (00:08:11):
Okay. So let me just try to get through some preliminaries. Your current job, I Googled you, of course I saw your LinkedIn, but just go ahead and describe it.

RC1 (00:08:25):
I'm a RC1 with Pierce County Council. I'm lead staff for the public safety committee. So my portfolio is anything from fireworks and animal control to reporting back to council members on ongoings with the court, with the jail, anything under public safety.

Brenda Bannon (00:08:50):
And just at a high level, are you satisfied with your current role?

RC1 (00:08:56):
I do miss direct service. I do miss direct service, which is what I was doing previously. But no, I am, I am, I'm happy. I enjoy learning new things. I like challenging myself and it has been a challenge because it's a very different role for me.

Brenda Bannon (00:09:12):
And when you say you missed direct service, you mean with your role With RC1. Okay. Okay. And who is your current supervisor?

RC1 (00:09:27):
Her name is RC1.

Brenda Bannon (00:09:29):
Okay.

RC1 (00:09:33):
That was, you said that I can speak to her, let her know, because in the email it said don't talk to anybody in your work group. And so I thought that meant current work group, but can I tell her this happened or that this is going on

Brenda Bannon (00:09:44):

At a high level? It's fine to tell her that you were called in for an interview on a confidential personnel matter regarding a workplace investigation. And if she has any questions about that, certainly she can reach out to, well, I don't know why she would have any questions. If she does have any questions, go ahead and email me and I would give you a person to reach out to, but this is definitely a less is more situation. Okay. Does that make

RC1 (00:10:15):

Sense? It does. It does. Only because she just sent me a message asking me for something I just had, and I didn't even tell her what this appointment was. It just says blocked. Totally

Brenda Bannon (00:10:27):

Fine. So just again, at a high level, let her know that it's a sanctioned interview. There's a workplace investigation, you were called in as a witness and it came up at the last minute, so you didn't have any control over that. Alright. So how long were you working at the clerk's office before you joined the council?

RC1 (00:10:51):

I joined the clerk's office in RC1

Brenda Bannon (00:10:58):

Okay. And what did you work before?

RC1 (00:11:02):

I was a RC1 with District court.

Brenda Bannon (00:11:05):

For how long?

RC1 (00:11:07):

I'd been there for just under RC1 . I've been there since RC1 .

Brenda Bannon (00:11:12):

That was Pierce County District Court. Okay. Alright. And your educational background, just so I know.

RC1 (00:11:21):

Yeah, the bachelor's degree in social work.

Brenda Bannon (00:11:23):

Great. Okay. Thank you. Alright, so let me get to some of the kind of meat of what I want to talk about and then I'm going to sort of expand out beyond that. While you are working with RC1 RC1 at the Pierce County Clerk's office, did you hear any of your coworkers make jokes about her related to her race?

RC1 (00:12:04):
I did not.

Brenda Bannon (00:12:06):
And did you yourself

RC1 (00:12:08):
Make jokes about her race?

Brenda Bannon (00:12:10):
Yes.

RC1 (00:12:10):
No.

Brenda Bannon (00:12:11):
Okay. Did you hear any of your coworkers at the clerk's office use vulgarity in describing RC1 connected to her race or her color?

RC1 (00:12:22):
No.

Brenda Bannon (00:12:22):
And did you yourself?

RC1 (00:12:24):
No.

Brenda Bannon (00:12:25):
And while you were working at the clerk's office, did you hear any of your coworkers use any swear words or vulgarity or profanity related to RC1 connected to her race or her color?

RC1 (00:12:38):
No.

Brenda Bannon (00:12:39):
And yourself?

RC1 (00:12:40):
I was swearing, yes, but not in relation to her, I mean, or her race? No. And myself, no.

Brenda Bannon (00:12:49):
Okay. And slurs?

RC1 (00:12:53):
No.

Brenda Bannon (00:12:54):
No

RC1 (00:12:55):
Racial slurs? No. Or slurs at all? No.

Brenda Bannon (00:12:57):
Okay. By any of your coworkers

RC1 (00:13:00):
No.

Brenda Bannon (00:13:01):
Connected to RC1 ?

RC1 (00:13:03):
Not in front of me, no.

Brenda Bannon (00:13:04):
Okay. And did you use any?

RC1 (00:13:07):
I did not.

Brenda Bannon (00:13:07):
Okay. Do you recall just any denigrating comments, pejorative statements connected to RC1 race, putting her down related to her

RC1 (00:13:22):
Color, connected to her race?

Brenda Bannon (00:13:23):
Yes.

RC1 (00:13:23):
No, I will acknowledge there. People were nervous, people were concerned about someone coming in from out of, this person doesn't know our systems, they don't know there was that anxiety about someone new coming in. Never in connection to her race.

Brenda Bannon (00:13:44):

Okay. And I think you're describing someone coming in from the outside, is that

RC1 (00:13:51):
What you're talking about? Correct. Yeah. Out of state or Yeah. Someone who's not from Washington. Not,

Brenda Bannon (00:13:57):
Yeah,

RC1 (00:13:58):
Or not from our system.

Brenda Bannon (00:13:59):
Okay. Not an internal hire, in other words. Okay. Is that correct?

RC1 (00:14:06):
Correct.

Brenda Bannon (00:14:07):
Okay. What were you going to say?

RC1 (00:14:16):
I did receive a call from someone in the prosecutor's office because I was an internal candidate. But now that I'm saying that, I'm trying to remember this conversation. I was trying to remember if this person said anything about someone from the prosecutor's office did call me and make this make sense. Why would they bring someone in from the outside? Why would they that this person had looked her up? She came from a small jurisdiction with one judge. With that this is a larger jurisdiction came from a misdemeanor jurisdiction. And

RC1 (00:15:21):
I'm trying, now that I say that.

RC1 (00:15:25):
How long ago was it? And I can't remember if this person alluded to. I'm just saying that they didn't think that, they thought I was a better qualified candidate, but I can't recall if there was a comment made about DEI, but I felt like that's what I, that was the feeling that I got.

Brenda Bannon (00:16:01):
Who was this person that called you?

RC1 (00:16:03):
Her name was Diane Clarkson.

Brenda Bannon (00:16:06):

Is she still with the county?

RC1 (00:16:08):
She's not. She retired.

Brenda Bannon (00:16:11):
What was her role there?

RC1 (00:16:13):
She was, she was with the prosecuting attorney's office. I don't know what county attorney for, I don't recall.

Brenda Bannon (00:16:22):
She was an attorney.

RC1 (00:16:24):
She was

Brenda Bannon (00:16:26):
Called during the hiring process or after?

RC1 (00:16:30):
After.

Brenda Bannon (00:16:32):
And that was unsolicited?

RC1 (00:16:35):
That was unsolicited.

Brenda Bannon (00:16:36):
Had you worked with her before?

RC1 (00:16:38):
I had Diane and I on. Diane and I were on an internal work group of a work group to look at reviewing policies for cultural, not cultural competency. What was the Criminal Justice Work group is what it was called? Asking departments to look at Policies for Racial Equity.

Brenda Bannon (00:17:18):
What did you make of that phone call?

RC1 (00:17:23):

I said Diane, I'm sure that they chose the best candidate for, I can't tell you thank you. Thank you for your confidence in me. But I can't tell you what the decision was. I mean, wasn't, that's what I can

Brenda Bannon (00:17:46):

Do if Diane called other people at clerk's office,

RC1 (00:17:50):

I have no idea.

Brenda Bannon (00:17:51):

Did anyone say anything about receiving a call like that?

RC1 (00:17:55):

No.

Brenda Bannon (00:17:56):

Okay. Alright. Lemme just follow up. While you were working at the clerk's office, did any of your colleagues circulate any images that were pejorative of black persons or persons of color connected to RC1 ?

RC1 (00:18:17):

No.

Brenda Bannon (00:18:18):

And did you circulate anything like that?

RC1 (00:18:20):

No.

Brenda Bannon (00:18:21):

Okay. Alright. Thank you. And what were your own feelings about her hire? You were a candidate for the position, so what were your feelings about her hire? RC1 hire?

RC1 (00:18:39):

I mean, was I sad I didn't get the job? Yes and no. Because same as coming into this position, it was moving me further away from direct service, which is what I really enjoyed doing. But that Bruce spoke very, very highly of her and how the previous exec and how incredible she was. So I thought, great. It's time for the, I don't have a problem with fresh eyes. I started a new program in the clerk's office, so I don't have a problem with change and innovation. And did fresh eyes are going to be good for the office then? Great. I mean,

Brenda Bannon (00:19:23):

Did you go around and badmouth her in the aftermath of her hire?

RC1 (00:19:27):

I did not. In fact, what I just told you is what I told other people to try to alleviate some of the anxiety about someone coming in.

Brenda Bannon (00:19:37):

What did you say to other people?

RC1 00:19:40):

I said that because people would tell me that, oh, I wished you had gotten it. I was like, Hey, then she's got to be a better candidate than I said, then we're going to be amazing. If you think I was great, then she's going to be great. I mean that I was really trying to be positive and welcoming to her.

Brenda Bannon (00:20:05):

Okay. And the new program that you started, what was that?

RC1 (00:20:12):

Pretrial services?

Brenda Bannon (00:20:13):

Yeah. Okay. Did you start that before RC1 was hired?

RC1 (00:20:18):

Yeah, that was why I was brought over in 2015 was to start it. I was on loan from district court for a few months and then they created the position.

Brenda Bannon (00:20:31):

Okay. Thank you.

Brenda Bannon (00:20:43):

I just wanted to say one more thing. Okay. What do you remember about the first time that you met with RC1 ?

RC1 (00:21:03):

The first time I called her, I called her because, so we had to have RC1 We, the previous RC1 had retired and pursuant to RCW can't not have a RC1 , so they had to name someone. RC1 called me, named me RC1 . And we had gotten from HR years of service awards and things like that. And so I called her, I said, Hey, I know you're coming here. I said, we got these. I said, do you want me to hold off on them or I kind of wanted to introduce myself and thought this would be a good opportunity for you to have these when you get there.

(00:22:06):

I am not going to put these out. And she said, oh, that'd be great. Blah, blah, blah, blah. So that was my first conversation with her. And then I think the first time I saw it was the first time I saw her when she was confirmed. I can't recall if it was when she was confirmed by the council. I came up here, sorry, up

here where I end up. I work now, but I came here to this office because the appointment of RC1 has to be confirmed by the counsel. And so I came up here then, but I didn't have much interaction with her there.

Brenda Bannon (00:22:59):

And had you, for example, Googled her before she arrived?

RC1 (00:23:03):

Oh yes.

Brenda Bannon (00:23:04):

Okay. Alright. Was that before you did your interview for the role, or you didn't know I'm guessing who? Yeah,

RC1 (00:23:11):

Yeah. No, it was after she was named.

Brenda Bannon (00:23:14):

Okay. Was there an announcement, like a mass email or how was the announcement made?

RC1 (00:23:20):

Yeah, yeah. I knew beforehand that it wasn't me, but obviously kept that confidential. And so I kept, which I remember, I reached out to Lillian like, Hey, when's Bruce going to put that out? People, people see my calendar, they know that I had a meeting with Bruce. Can we get that out? But yeah, it was an email and I believe.

Brenda Bannon (00:23:46):

Okay. Alright. So you learned the name and then you probably, the email said a little bit about her background. Is that true?

RC1 (00:24:00):

I'm sorry, I don't remember. That's fine. I mean, it said, yeah, it that she was, I can't remember if it said she was coming from Texas.

Brenda Bannon (00:24:11):

Okay.

RC1 (00:24:13):

I can't remember how we knew Texas.

Brenda Bannon (00:24:15):

Okay. So you had enough information to be able to Google her and figure out who she was. Is that true?

RC1 (00:24:20):

Yeah. Yes.

Brenda Bannon (00:24:22):

And then you met her in person possibly when she was sworn in. You're not quite sure if that's exactly right?

RC1 (00:24:28):

Yes,

Brenda Bannon (00:24:28):

Correct. Okay. And your recollection is you tried to be welcoming and positive?

RC1 (00:24:33):

Yes.

Brenda Bannon (00:24:34):

Okay.

RC1 (00:24:37):

We took her out, I mean, took her out to lunch. I mean, yeah, a few of us did.

Brenda Bannon (00:24:43):

Who was involved in the lunch?

RC1 (00:24:46):

That was RC1 and RC1. And I remember that wasn't until I think February and we finally said, we were like, we need to get you out. We need to, let's, do you remember where you went? We did. We went to Mc Minis down here. Oh, nice. I had never been to that mc Minis.

Brenda Bannon (00:25:09):

Okay.

RC1 (00:25:11):

And it was that, Hey, we even said that. We said that we're here to support you. And we mean, it was a fun lunch. We learned about her kids, we learned about her husband and all, I mean, all kinds of stuff. We made jokes because she and I had the exact same hand sanitizer. We pulled it out our pockets. So it was just a fun lunch. And I remember her saying there, she was like, she's like, this is going to be awesome. This is going to be dream team. Okay.

Brenda Bannon (00:25:43):

Okay.

Brenda Bannon (00:25:51):

Did she use those terms, dream team?

RC1 (00:25:53):
I don't think so, but I do remember her saying the word trust, that she could trust us or trust that we were trustworthy. I do remember the word trust.

Brenda Bannon (00:26:09):
Okay. Thank you.

Brenda Bannon (00:26:18):
Did you ever hear any of your colleagues make a statement along the lines that she was likely hired because she was black?

RC1 (00:26:44):
She made a statement. I remember in her office that she was very emotional and she said, I haven't thought about these things in so long. She said, I'm a 51-year-old woman. And that what she said, 51. But she said that it never stops hurting when people don t that people don't think she's qualified or the people that she continues to have to prove herself. I don't know who that was in reference to what comment was said or what. She did say that. And that was early on because that was at a time when she was still disclosing things to me. So I definitely know she felt that from somewhere or someone said something to her. But I don't that I don't know, but I know she felt that way.

Brenda Bannon (00:27:58):
Did you hear any of your colleagues say anything like, she must've been hired because she was black?

RC1 (00:28:05):
There are bigots. Yeah. Yeah, people said that.

Brenda Bannon (00:28:09):
People did say that.

RC1 (00:28:12):
I can definitely say that. I know that I overheard that.

Brenda Bannon (00:28:17):
From whom

RC1 (00:28:19):
I don't feel comfortable saying that.

Brenda Bannon (00:28:23):
Well, it's kind of the crux of why we're talking today.

RC1 (00:28:26):

Yeah. Yeah.

Brenda Bannon (00:28:39):
I

RC1 [redacted] (00:28:45):
Mean,

RC1 [redacted] (00:28:50):
I can say I did not say it,

Brenda Bannon (00:29:01):
And I do encourage you to let me know who amongst your colleagues at the time made statements like that, please?

RC1 [redacted] (00:29:08):
At the time,

Brenda Bannon (00:29:09):
Yes.

RC1 [redacted] (00:29:09):
No, at the beginning. No,

Brenda Bannon (00:29:12):
No. While you were still working at the clerk's office.

RC1 [redacted] (00:29:40):
It was after she began treating people poorly.

Brenda Bannon (00:29:53):
Okay. I go ahead.

RC1 [redacted] (00:30:03):
That people began to make those judgements that I don't feel comfortable saying

Brenda Bannon (00:30:09):
How many people?

RC1 [redacted] (00:30:13):
Two.

Brenda Bannon (00:30:19):

So I appreciate that you're not comfortable, and I appreciate the qualifier that it wasn't at the beginning. It was after people began to feel that they were being treated poorly

RC1 (00:30:34):

And people had concerns about her qualifications

Brenda Bannon (00:30:37):

And her qualification concerns. So please go ahead and let me know. It's important to the county that I complete a thorough investigation, and this is really important information.

RC1 (00:30:54):

I know, I hear you. And I'm sorry. And I'm not trying to make your investigation more uncomfortable or more difficult, but for that, I feel like, I don't feel like I can say that I don't.

Brenda Bannon (00:31:13):

Are the two persons still employed by the county?

RC1 (00:31:21):

Sorry, I'm getting a message.

RC1 (00:31:27):

I don't want to say anything further. I don't want to say anything further on this. I'm sorry

Brenda Bannon (00:31:32):

Well, you want to understand the county's non-discrimination, non-retaliation policy, and you've been trained in it, right? I have. And the only way for it to have any teeth at all, any meaningful application is for people to be, as I said at the beginning, as honest and candid and forthright with me as possible. Otherwise, bigotry, racism perpetuates. And so it is important for you to be as honest and candid and forthright with me as possible. RC1

RC1 (00:32:07):

Yeah, I appreciate that, Brenda. And I understand that, and I'm trying to, but I also feel like when a hostile work environment has been reported and retaliation has been reported, although the county says there's a zero tolerance policy for it, that was not abided by, we didn't, weren't protected. I wasn't protected when a hostile work environment was created. So I don't feel comfortable saying something when what I have seen and what I have experienced is not what the county alleges they do. And I mean, that's all I can say about it at this time. And I'm sorry, I don't feel safe disclosing anything further on that without, go ahead.

Brenda Bannon (00:33:51):

Why don't you feel safe yourself?

RC1 (00:33:58):

Well, I guess I don't feel safe now. Either way, this interview finishes because if I'm not being fully transparent, then I know I face disciplinary action. However, when I've been transparent before, nothing has been done.

Brenda Bannon (00:34:27):

Okay. So I understand you don't want to provide me names, but you're not willing to tell me whether or not they're continuing to be employees of the county?

RC1 (00:34:36):

Correct?

Brenda Bannon (00:34:37):

You won't tell me that.

RC1 (00:34:39):

No.

Brenda Bannon (00:34:40):

Okay.

Brenda Bannon (00:34:45):

Okay.

Brenda Bannon (00:34:54):

Are you able to tell me - you were very emphatic that it wasn't at the beginning. Are you able to tell me approximately the timeframe or comments like that started to be made?

RC1 (00:35:10):

Maybe about a, when did she start? It was RC1 of what year? RC1

Brenda Bannon (00:35:19):

Of 2RC1

RC1 (00:35:20):

RC1. Things started to turn in March, may. So it would be after that

Brenda Bannon (00:35:36):

Of 22. What were the things that started to turn, what do you mean by that?

RC1 (00:35:44):

There were things, that was when the first HR investigation happened, and that was when we started to fail her tests and her tests that she said she sets for people. And that's when things shifted.

Brenda Bannon (00:36:27):

So a couple of follow-up questions was the HR investigation, you're referring to investigating allegations concerning RC1 ?

RC1 (00:36:37):

Correct.

Brenda Bannon (00:36:38):

And then what was the test?

RC1 00:36:42):

I feel she made the comment or has made the comment, what is she that I don't fire people, but I'll make an environment that they voluntarily want to leave. And she made comments to me about wanting him out, that she didn't feel like he was supportive or that he was a good match. I shouldn't say supportive, and I can say this, I never overheard him making comments about her race or that she was hired because of her race.

Brenda Bannon (00:37:24):

You did not?

RC1 (00:37:25):

I did not.

Brenda Bannon (00:37:26):

Okay.

RC1 (00:37:32):

I can't say that he never did. I can say that I didn't hear them from him. Okay. So she told I, RC1 RC1 and I was RC1 was RC there for that? I can't remember, but she made comments about that. She said that she's constantly testing people that she'll tell different versions of stories of things to different people. And so that she hears, if the story comes back to her, she knows who told who she can trust to tell things to and who she can't. So that's an example of one of the tests. The other thing is that when she promoted, she promoted RC1 to the chief deputy and she said, or we found out afterwards, she had told RC1 earlier.

(00:38:37):

And then when told RC1 with a certain amount of time, told her she couldn't tell anybody. And then when she made the announcement, she asked something and I said, RC1 I didn't know. And it was RC1 , and I can't remember if RC1 was there or not. And RC1 said, yep, it was another one of my tests. And I was like, okay. So that investigation with RC1 I felt like was a test. And in her eyes I failed. I think she expected me to back what was being investigated. And there were some things I wasn't aware of, so couldn't speak to. And then there was a piece where she said in a staff meeting, he was standing close to her and intimidated her. And I was on the way that room is set up, I was on the other side of a bookcase. So the fact that I was called a witness to that, I was like, I couldn't

even see that. I felt like I failed. And my opinion is that's where things shifted. Her attitude toward me shifted and

Brenda Bannon (00:40:14):

Alright.

RC1 (00:40:16):

And then there were things, comments said that where she said things like, I'm good at managing people. I don't have to know what you guys do here in the office. And I know that was not received well.

Brenda Bannon (00:40:30):

Okay.

RC1 (00:40:34):

So it was after that that people began to believe that she didn't have the knowledge set an understanding of the operations of the office.

Brenda Bannon (00:40:47):

Alright.

Brenda Bannon (00:40:55):

And that comment may have in some instances been followed with a speculation that she was hired because she was black. Is that what you're trying to say?

RC1 (00:41:05):

Well, that's when things shifted. I can't speculate as to why people would make that comment.

Brenda Bannon (00:41:30):

Okay. Did you hear anybody say that they didn't like RC1 because she was black?

RC1 (00:41:39):

No.

Brenda Bannon (00:41:52):

And speaking from your own perspective and your own experience, RC1 did you yourself try to make RC1 work environment difficult?

RC1 (00:42:10):

No.

Brenda Bannon (00:42:11):

Okay.

RC1 (00:42:15):
I felt like I was betraying her when I called hr. That's how, because I didn't know what else to do. Okay. But no, I did not try to make her job harder

Brenda Bannon (00:42:35):
At all. Alright.

RC1 (00:42:40):
I don't like some of the things. I don't like that I went to hr. Whether or not that made her job harder, I don't know. They said they didn't do anything. But I do struggle with that. I felt like I was adding to an already difficult environment, but I didn't know how to fix it.

Brenda Bannon (00:43:03):
Okay. And did you encourage coworkers to try to make RC1 work environment difficult for her?

RC1 (00:43:15):
No. I encouraged coworkers to contact HR if they felt like something was wrong. If they felt like they, or to contact her supervisor if they felt that they were. I said that I did.

Brenda Bannon (00:43:35):
And why

RC1 (00:43:37):
Did I encourage them to contact hr? Because if they felt like they were being yelled at, that didn't seem appropriate. If they felt like they were being isolated, if they felt like they were being targeted, if they felt like they were being threatened and intimidated, if they didn't feel comfortable going in, it didn't feel comfortable meeting with her one-on-one.

Brenda Bannon (00:44:11):
Okay.

RC1 (00:44:19):
All right. Or to contact their union if they were union employees.

Brenda Bannon (00:44:28):
Did you yourself, in the mornings, for example, if you were present when RC1 was coming into work and she'd say hello, did you go out of your way to ignore her greetings?

A: Not absolutely not

Q: reciprocate her greetings?

RC1 (00:44:48):

No. She would walk past me without saying a word. So there were times that it was terrible. It was terrible.

Brenda Bannon (00:45:03):

What do you mean she would walk past you?

RC1 (00:45:05):

She would walk into the RC1 office and talk to everyone but me acknowledge everyone other than me.

Brenda Bannon (00:45:26):

Alright. Did you encourage your coworkers to ignore RC1 morning greetings?

RC1 (00:45:35):

No.

Brenda Bannon (00:45:38):

Did you hear any of your coworkers try to sort of collectively decide not to acknowledge RC1 in the morning?

RC1 (00:45:50):

No, I did not. That's terrible.

Brenda Bannon (00:45:54):

Did you ever witness when RC1 came into the clerk's office in the morning that she would greet people and people would ignore her?

RC1 (00:46:04):

No, but my offices was across the hall, so I can't say that did or didn't happen because I was not over there. The setup is RC1 is in a separate area.

Brenda Bannon (00:46:17):

Okay. Did you hear,

RC1 (00:46:17):

And the clerk's office,

Brenda Bannon (00:46:18):

Your coworkers at the clerk's office talk about? Wasn't that funny? She walked in and we didn't even acknowledge her. We rolled our eyes at her. Did you hear a recount of scenarios like that?

RC1 (00:46:31):

I did not. Okay. I did not.

Brenda Bannon (00:46:39):
All right. Did you encourage your coworkers at the Clerk's office to not be helpful to RC1 ?

A; No.

Q; Did you hear any of them either in RC1 or in the clerk's office formally talk about how they weren't going to go out of their way to be helpful to RC1 ?

RC1 (00:47:01):
No, I did not.

Brenda Bannon (00:47:22):
And after you left the clerk's office, did you reach out to News Media to sort of have them report on things that were happening in the clerk's office adverse or critical of RC1 ?

RC1 (00:47:37):
I did not, no.

Brenda Bannon (00:47:39):
Okay. Do you know who did?

RC1 (00:47:43):
I do not. No.

Brenda Bannon (00:47:46):
Okay. Did you encourage other members of the clerk's office to resign from the clerk's office sort of in protest of RC1 ? No. Did you hear people talking about such a thing?

RC1 (00:48:07):
No. I did get to a point though where I don't want to say I got tired of, I was so fatigued. I got tired of people complaining about work and things like that and that it's like, well then people were complaining that things weren't changing. People were complaining that it was still, that she was still targeting people. And it's like, well then talk to hr. But if you're not going to talk to, if you're not going to do something about it, then I don't stop complaining about it sort of a thing or find work elsewhere that if you're unhappy, then find work elsewhere. I don't think I said that to people. I know I said that. Excuse me. I don't think I said that to people who were still there. I know that because RC1 and JJ have now both left that in conversations with them because people from the clerk's office would reach out to us and say, this is happening, that's happening. That it would be like, then leave if you're miserable, if it's a miserable environment, then get out. But we would say that to each other.

Brenda Bannon (00:49:46):

You mean after you joined the council and you would receive calls or complaints from current clerks, office workers, you might suggest to them, well, if you're unhappy, complain to hr. We [?] this complaint.

RC1 (00:50:02):

No, that was when I was with, excuse me. Let me clarify. When I was with the clerk's office, people would be, well, she did this. She yelled at me, she yelled at so-and-so, blah, blah, blah. It's like, call hr. She was badmouthing this person. Again, call hr. I can't do anything more about it. I am sorry. I can't. And then since having left, those have just been, I mean side conversations with other people who have left where we hear like, oh, you got a call, you heard about something else. Oh, you heard about another HR investigation that we've said to each other that it's like, then people just need to get, stop complaining, be proactive. Stop complaining about if you're unhappy there and if treatment is bad and the county has shown that nothing's going to change, then you need to leave. Or people need to be filling out those job applications and go elsewhere.

Brenda Bannon (00:51:15):

Okay. Do you know why RC1 left?

RC1 (00:51:28):

I would say you'd have to ask him. I don't think he was no longer enjoying his job there in the clerk's office.

Brenda Bannon (00:51:34):

Did RC1 tell you why he left?

RC1 (00:51:39):

I do believe it was in large part because of RC1 and her treatment of staff.

Brenda Bannon (00:51:45):

Okay. And do you know why RC1 left?

RC1 (00:51:50):

She had a nervous breakdown.

Brenda Bannon (00:51:53):

Okay.

RC1 (00:51:56):

RC2 .

Brenda Bannon (00:52:14):

Okay.

RC1 (00:52:15):
She was doing multiple jobs and getting no relief and it became too much for her.

Brenda Bannon (00:52:27):
Okay.

RC1 (00:52:31):
I shouldn't say a nervous breakdown. I can't make that.

Brenda Bannon (00:52:34):
I understand you're saying from a lay person's perspective.

RC1 (00:52:39):
Yes, I get it. Yes. I apologize for that.

Brenda Bannon (00:52:41):
That's fine. Do you know why RC1 left?

RC1 (00:52:49):
She, I don't know all of the details about that. I know that she was in training to be in the fiscal. Again, there's a separation of which the separation of pretrial services, which was a piece of why I that, anyhow, sorry. She was in training. They were trying to, because Trisha Ann left and Trisha Ann was the AA four. And Trisha Ann went to juvenile court, and then JJ left. RC1 left after that. So he was trying to train RC1 on the judgment section, the financial services, things like that.

Brenda Bannon (00:53:51):
RC1 was,

RC1 (00:53:53):
Yes, before he left. And then, I'm sorry.

Brenda Bannon (00:54:01):
And

RC1 (00:54:02):
Oh, and then she was in an acting position, I believe. And then I don't know, things started happening. And then I know that RC1 was hired and I don't know how or why they didn't get along or what was happening.

Brenda Bannon (00:54:26):
Is that RC1 ?

RC1 (00:54:30):

No, RC1 Okay. RC1 . I completely forgot about RC1 When RC1 left, do you know when RC1 left?

Brenda Bannon (00:54:42):

I don't know off the top of my head…

RC1 (00:54:43):

That was around the time because RC1 had become a confidant to RC1 And I remember when RC1 left, she came to me and said, you need to get out. She hates you. And I was like, okay. And that was, that might've been around the time now that I completely forgot about RC1 RC1 That might've been around the time of that first HR investigation.

Brenda Bannon (00:55:31):

Okay. And you were saying that RC1 was trying to train RC1 on the physical duties before he left, and then RC1 was hired. And then what's the train of thought there?

RC1 (00:55:53):

I know that that was a difficult relationship. And then RC1 left

Brenda Bannon (00:56:02):

Relationship between RC1 and RC1 you mean?

RC1 (00:56:05):

Yes. I don't believe, yeah. And RC1 was there when I left.

Brenda Bannon (00:56:14):

Okay. All right.

RC1 (00:56:27):

I believe, I know she's with the Superior Court now, but

Brenda Bannon (00:56:31):

Okay.

Brenda Bannon (00:56:41):

Did you ever witness RC1 have some sort of RC2 of sorts at the clerk's office?

RC1 (00:56:56):

She got emotional a lot. RC2 . Or she,

Brenda Bannon (00:57:07):

Do you know anything about that?

RC1 (00:57:12):
That's all. It was a day. I don't believe I was even in the office that day. Okay.

Brenda Bannon (00:57:16):
So you really don't have any firsthand knowledge?

RC1 (00:57:19):
No, no. No. Firsthand knowledge? None.

Brenda Bannon (00:57:22):
Okay.

RC1 (00:57:22):
If I was in the office, I was not involved in it at all. Have no firsthand knowledge. If it was the incident where she ended up where medical aid came, there were a number of times that she became emotional.

Brenda Bannon (00:57:43):
What do you mean?

RC1 (00:57:45):
I mean, she told me at some point that she was under, I can't remember when this conversation was. Again, it must've been early on because she was still talking to me that she told me that she was under such, the job was so stressful that she couldn't stand to listen to things, listen to anything on the way home. I don't recall when that was, but when she said that, or I mean, RC2 [redacted]

Brenda Bannon (00:58:52):
All right. And are you still of the perspective that, would it be something you're comfortable sharing with me the person's names who made the statement about RC1 ?

RC1 (00:59:07):
No,

Brenda Bannon (00:59:08):
I

RC1 (00:59:08):
I'm Not.

Brenda Bannon (00:59:09):

Let me ask you this question, Andrea, those two individuals that you mentioned, from your perspective, did they do anything to sabotage RC1 success at the clerk's office?

RC1 (00:59:26):

No. No. It was, go ahead. Go ahead. Sorry. It was a tasteless and offensive joke from my perspective and an inappropriate comment. I mean, I know that sounds like I'm minimizing it, but to answer your question, no.

Brenda Bannon (01:00:22):

Okay.

RC1 (01:00:24):

No active sabotage. And I say that with confidence.

Brenda Bannon (01:00:32):

Okay. All right.

Brenda Bannon (01:00:56):

Is there anything else, now that I've asked you so many questions that you think is important for me to know as I'm conducting this investigation?

RC1 (01:01:16):

No, I mean, I assume you have access to the work that HR has done or prior interviews. I mean, obviously as time goes on, and I've tried to forget about these things, but I, I'm sure my memory's not as good as when I was documenting things. So I assume you have access to other conversations that HR has conducted in regard to the work environment of the clerk's office.

Brenda Bannon (01:01:47):

Well, I never know

RC1 (01:01:48):

Since RC1 was there.

Brenda Bannon (01:01:49):

I never know in any organization whether I get everything. But I know that I've made certain requests and I have received some documentation of concerns that you have raised previously. So I have reviewed some of that.

RC1 (01:02:05):

Okay. I would say, I guess I would suggest that there's been anything else that other people provided. I don't know. But yeah, I mean, well, that's

RC1 (01:02:30):

My opinion, so nevermind.

Brenda Bannon (01:02:31):

Okay. I do have a question. When you obtain the new position with the counsel and you were leaving the clerk's office, you requested an exit interview with the county executive. Is that true?

RC1 (01:02:47):

That is true.

Brenda Bannon (01:02:48):

Can you tell me a little bit about your motivation for doing that, what your thought process was?

RC1 (01:02:56):

I felt terrible survivor's guilt that I was able to get out of that situation. And I was so frustrated that, so frustrated with HR that I felt like that or, and frustrated myself for being naive and thinking that, I mean, she said some terrible things that are really unprofessional and really inappropriate and nothing was done about it. I mean to tell with pride a story where you confronted a speaker and told them at a organization, telling them that they bullied their child or that to tell the staff the story of you called your son's girlfriend after she was telling, she was saying she was going to get a protection order, and you called your son's girlfriend and said, I know people, your parents are undocumented, right? Don't get that protection order. I mean, she created this fear

RC1 (01:04:31):

Of,

RC1 (01:04:40):

You asked about if I talking about saying no or ignoring her or seeing her and disregarding her greeting. I never did that. But I can be honest and say that I would go, there were two ways into my office and I would go the way that I saw my staff and get to went to my desk as opposed to going past her locked door to see if I avoid seeing her. Or there would days be like, I don't know if she's here or not, I don't know if she's here. I would go multiple days without seeing her. And I can't say that. I mean, there was just constant anxiety about, because you didn't know what you were going to be interacting with. But I felt like if she could target me, then I worried she could do it to other people as well. And so that was my motivation in asking for an exit interview, one last opportunity to give, to have them look into it.

RC1 (01:06:03):

And yeah.

RC1 (01:06:08):

And I worry about the clerks office.

Brenda Bannon (01:06:11):

What was the thing that you said about what RC1 shared about a statement made to someone at a conference?

RC1 (01:06:20):

So she told Andrew Satel and I about this, that she was at, it was an a OC something or a clerk, something, I can't remember. But there was a speaker there that was talking about kindness and talking about how her daughter was being bullied. And then the woman came up, so a OC and Pierce County have a difficult relationship because we didn't go over to Odyssey. And so when the woman, the speaker came up to table and the speaker came up to the table and said something about, because she hadn't met RC1 or something like that.

(01:07:10):

And when RC1 said, oh, RC1, the speaker said, oh, Pierce made a comment like that. And RC1 was like, and that made me angry, that rubbed me the wrong way. You don't know me, you don't know anything about. And so she said that later on, she said, when this woman was speaking, she approached her on the break and said, you talked about your daughter being bullied, something about you were the first one to bully your daughter, or it started at home, or something like that. And I remember in the meeting, Andrew and I were sitting there and I said, RC1 And she said, I know RC3 told me I shouldn't have said that. And then RC3 is her husband. But my impression is that she was proud of, because she said that, oh, because she said the speaker went back up on stage and was scheduled for another hour and a half, but only spoke for 15 minutes or something like that. She was embarrassed, but she seemed pleased with that outcome. And so when she tells you stories like that and tells you stories like that with pride, it makes her very uncomfortable and what feels like a predatory environment. And when she says, I'm testing people all the time, I'm always testing people

(01:08:43):

Or when, I mean for me, I got invited to speak at National Association Pretrial Services. I got invited to speak to their, at their on a panel for one of their sessions. And she told me I couldn't go because she didn't know what I was going to say. And then she went to Texas and then a week later came back, and I think this is in my documentation somewhere that came back and said, okay, I've thought about it. I need to trust you. I need to figure this out. And I said, well, I'm embarrassed now. I don't want to call him back and say that. Excuse me. Bless you. So in that same conversation, no, this is good. You should go. It'll be good for your career. And then I say, well, now I'm embarrassed to go back and tell them, well, wait, can I come back now? And then in that same conversation, she says, you've been resistant to me since day one. And I'm like, what is that? I couldn't keep up with her cycling, the moods, the interactions. It was too much for me.

Brenda Bannon (01:09:52):

Okay.

RC1 (01:09:55):

Sorry, I completely forgot your original conversation or caught a question on that.

Brenda Bannon (01:10:01):

I think you're answering it. It was more, is there anything else that you think I should know now that I've asked you a lot of questions? And I did tell you that I have received some documents regarding your prior complaints, and then you

RC1 (01:10:17):

Asked me about exit

Brenda Bannon (01:10:17):

Filling me in a little bit. Yeah,

RC1 (01:10:23):

Yeah. I mean, I haven't thought about this stuff in over a year now,

Brenda Bannon (01:10:34):

And I asked you why you decided to set up the

RC1 (01:10:37):

Exit interview, exit interview

Brenda Bannon (01:10:38):

With the executive, and so you were going on about that. Okay. Anything else that you think I should know?

RC1 (01:10:59):

I think that's all I have.

Brenda Bannon (01:11:01):

Okay. It's now 10 19, and I'll just before we go off the record, encourage you to think a little bit more, but if you feel comfortable reaching back out to me and letting me know who made those statements. So having said that, it's 10 19. With your permission, we'll go off the record. Okay.

Brenda Bannon (00:02):

Okay, so we're on the record. It's one 12 in the afternoon on February 26th, 2025. My name is Brenda Bannon. I'm with the law firm of Ogletree Deacons. I'm meeting remotely with RC1 [redacted] do I have your permission to record our conversation?

RC1 [redacted] (00:22):

Yes.

Brenda Bannon (00:23):

And you're also here with legal counsel, Joan Mell. Ms. Mell, do I have your permission to record our conversation?

Joan Mell (00:30):

Sure.

Brenda Bannon (00:30):

Okay, thank you.

Joan Mell (00:32):

That's obviously conditioned under providing the transcript

Brenda Bannon (00:37):

While the investigation is pending. Ordinarily everything stays with me to protect the integrity of the investigation. If you wanted to make a public records request to the county, someone else could review your request, but I would keep everything with me while the investigation is pending.

Joan Mell (00:55):

Okay. Well I'm not going to consent to recording if there's not a stipulation that it be made available to the witness.

Brenda Bannon (01:03):

So that was…

Joan Mell (01:04):

… and it doesn't have to be right away, but it needs to be provided and not by a public records request. I'm not going to wait for it via public records request. It's her statement. She's entitled to a copy.

Brenda Bannon (01:13):

Well, we're not in litigation. Ms. Mell, you know that this is a confidential personnel matter and to the extent that we are conducting an investigation, it's important to protect the integrity of the investigation.

Joan Mell (01:29):

Okay, well then the answer is no. She can. No, I mean, I guess the only other thing is that we're going to record. I guess the only other thing is that we're going to record,

Brenda Bannon (01:41):

Right? So again, to protect the integrity of the investigation, I don't want to have a recording out there because…

Joan Mell (01:49):

Then we might as well cancel the whole interview. You're not going to have a one sided deal.

Brenda Bannon (01:55):

It's not a deal. I'm trying to protect the interests of RC1 and all of the witnesses that are testifying or providing testimony in this matter…

Joan Mell (02:04):

… not protecting her by taking her statement and sequestering from her. Either we both record or nobody records. Nobody records.

Brenda Bannon (02:12):

It's not to…

Joan Mell (02:16):

Okay. I'm not going to argue about it. Those are the rules. So you have anybody records or nobody records?

Brenda Bannon (02:23):

Ms. Mell? It would've been helpful if you had reached out in advance of this moment to talk about some of these logistical things because now we're further delaying. So I'm not sure why you're doing that. Have been available to talk about any number of issues. It would've been helpful for you to reach out.

Joan Mell (02:39):

Okay. That's your opinion.

Brenda Bannon (02:47):

So, …with regard to moving forward, RC1, is it your perspective that we don't meet today? Unless I can provide a copy of the recording to your counsel?

RC1 (03:00):

Yes ma'am.

Brenda Bannon (03:01):

Okay.

RC1/Mell?? (03:02):

Or let us record or we're recording.

Brenda Bannon (03:04):

Right. So I'm going to say the same thing that I say to all witnesses when I conduct these investigations, that while the investigation is pending, the investigative materials stay with me unless the legal counsel of the employer that I'm retained by provides an exception of some sort after reviewing a public records request. So can you agree to present a public records request?

RC1 [redacted] (03:34):

Nope.

Brenda Bannon (03:36):

Alright. So I guess we'll pause at this point because I don't have permission to present any aspects of my investigation to other persons while the investigation is pending,

Joan Mell (03:52):

We're not presenting anything to anybody. We're keeping a copy of what happened.

Brenda Bannon (03:56):

No, I mean you're a third party here. Even though you're legal counsel, Ms. Mell, …

Joan Mell

No I'm not. I'm not...

Brenda Bannon

Well, you are. Once anything leaves the -- my possession… [???CROSS TALK … go through a public records request].

Joan Mell (04:07):

Yeah. Then that's not right. …Once… to yourself.

Brenda Bannon (04:12):

….Once anything leaves my possession, including a recording, I don't have any control over it. While the investigation is still pending. That's why I refer everybody to make a public records request so that everyone's treated fairly.

Joan Mell (04:26):

That's not ….[garbled…overtalk]

Brenda Bannon (04:29):

That's Pardon me? I couldn't hear what you said Ms. Mell.

Joan Mell (04:37):

I said that is not a fair process. There's no issue about what she does with her statements. There's no communication on who she talks to about her concerns. She doesn't have any intent to do anything other than protect her own interest. She has a right to record the conversation and keep a recording of the conversation.

Brenda Bannon (04:59):

Of course. And I don't have any issue with you being present. I just, as a matter of course in all the investigations I conduct, I tell everybody….

Joan Mell (05:09):

All information. I can't believe that somebody hasn't claimed said about that before if that's your experience. But I've never had a problem with an interviewer who wants to record recognizing that I have an equal right to record.

Brenda Bannon (05:26):

Alright, well let's go ahead. It's 1:18,. I'm sorry we've run into this obstacle.

Joan Mell (05:34):

Why don't you just call counsel who's the attorney.

Brenda Bannon (05:36):

I wish that we could have addressed these issues in advance of this moment because we're wasting time and the time I have set aside to interview. RC1 [garbled cross talk]

Joan Mell (05:46):

Why don't you call the attorney who's the attorney you're reporting to,

Brenda Bannon (05:51):

Ms. Mell, I'm just going to stop at this point. Okay??. I don't find this being [cross talk ??tell us who the attorney is]. I don't find this being productive.

Joan Mell (06:01):

Well, I do. Who's the attorney that you're working with? Because I'm happy to call them. I have pretty a good working relationship with the county attorney's office.

Brenda Bannon (06:07):

I'll have someone reach out to you. It's one 18. It's February 26. RC1, I apologize. I wish that I had known in advance and we could have dealt with some of these logistics in advance and then we wouldn't be wasting this time. Your time is precious too. So it's 2 26 and I mean, it's February 26 and it's 1:19 PM So I'm going to say goodbye and I appreciate your patience while we work this out. Thank you.

Brenda Bannon (00:00:01):

Okay, so we're on the record. According to the computer, it's 2:30 PM on February 27th, 2025. I'm meeting remotely with RC1 . My name is Brenda Bannon. RC1 do I have your permission to record our conversation?

RC1 (00:00:16):

Yes.

Brenda Bannon (00:00:16):

Thank you so much. So as you know, we're conducting this investigation remotely. I'm in a private workspace with nobody else present. You're also in a private workspace with nobody else present. Okay. And just for the record, I couldn't hear that. So is that a yes?

RC1 Yes.

Brenda Bannon Okay. Yes. Alright, and bear with me please. So as you know, I've been retained by the, excuse me, the Pierce County Prosecutor's Office to conduct this outside remote, excuse me, outside impartial fact finding investigation. Do you have any questions about my role or why we're meeting today?

RC1 (00:00:54):

No.

Brenda Bannon (00:00:55):

And just to clarify for the record, we met once before, so this is a second interview, so I appreciate you making my time with me. So I want to follow up, and some of this might feel like it's overlapping, but I do need to clarify a few things. So for frame of reference, RC1 ,RC1 , RC1 was hired. Her first day at work was RC1 , is what I've been told in a teams check-In meeting with RC1 in December, 2021, did RC1 tell you that RC1 told her that the county went a different direction? IE or black?

RC1 (00:01:52):

I don't remember her referencing black.

Brenda Bannon (00:01:55):

Okay. Could it have been said and you just don't remember?

RC1 (00:02:00):

I don't know.

Brenda Bannon (00:02:02):

And why do you say that?

RC1 (00:02:06):

I don't remember her saying it. I think I would've remembered-- her -- that my attention and I don't remember it.

Brenda Bannon (00:02:18):

Okay. What about something at the same early check-in meeting in December, 2021? Something along the lines of we're not going to get along. I don't like you because you were black

RC1 (00:02:37):

And I don't remember a reference to color. I think we probably had a conversation about him being upset in general.

RC1 (00:02:51):

Okay.

Brenda Bannon (00:02:56):

And then do you recall ever before March of 2024, so excuse me, before the DEI SOC meeting last year, do you recall RC1 ever saying anything to you along the lines that RC1 had said to her, I thought I wouldn't like you because you were black, but I came to like you. Anything like that?

RC1 (00:03:29):

I don't recall that, no.

Brenda Bannon (00:03:31):

Okay, thank you. Now during the course of 2023, so she was hired in December of 21, then we have 2022. And a lot of that was dealing with, as I understand, conflict between RC1 and RC1 and the personnel matters that evolved as a result of that. And for point of reference, it's my understanding that RC1 resigned at the end of the year sometime in November. Does that seem about right to you?

RC1 (00:04:10):

Yes.

Brenda Bannon (00:04:10):

Okay. So I'm moving forward to 2023, and it's my understanding during that year there was a lot of work by a number of different people focusing on issues with the finance component of the clerk's office. And you're nodding your head okay?

RC1 (00:04:28):

Yes.

Brenda Bannon (00:04:29):

And as a part of that, were you involved in dealing with the clerk's office generally and meetings with RC1 and potentially others regarding RC1, the former RC1 leaving the clerk's office and not leaving instruction behind when he left?

RC1 (00:04:58):
Yes.

Brenda Bannon (00:04:59):
Okay, thank you. So related to that, there was also an issue that arose is my understanding with another staff member, RC1, who had a bit of cross-training with RC1 before he left. I understand from what I've read, and was on a out of class interim role doing a bit of that finance reconciliation work, but at some point didn't want to do that anymore and you were pulled in with other folks to address that. Does that ring some bells?

RC1 (00:05:35):
Yes.

Brenda Bannon (00:05:36):
Okay. Thank you so much. So did you ever say in the context of that year, in talking about RC1, did you ever say to RC1 well he doesn't want to help you because you were black?

RC1 (00:05:59):
No, because I had no reason to know why he didn't want to help her.

Brenda Bannon (00:06:03):
Okay. Did you ever have an opportunity to talk to RC1 about that whole scenario?

RC1 No.

Brenda Bannon Okay. Did any other persons either, I'm going to just go through a list of potential people such as RC1, Chris Gaddis, Misty, the manager over in District court. Did any of those persons speculate to you on any fashion reasons why RC1 didn't want to help RC1?

RC1 (00:06:45):
I never had a conversation with Chris Gaddis. I never have ever had a conversation with RC1, I don't believe, and Misty and I did not discuss it. My understanding is Misty had a conversation with RC1

Brenda Bannon (00:07:00):
Okay. And again, just to be clear, no conversation with RC1. Okay. Thank you. This might be stretching your memory a bit, so I apologize. I'm curious, in the first couple of years, so let's just say

from December 21 to December 23, did RC1 make some security upgrades to various aspects of the clerk's office, physical security upgrades?

RC1 (00:07:44):
My understanding is she did, but she worked with facilities for that.

Brenda Bannon (00:07:49):
Do you just have a secondhand understanding of what the upgrades were? Yes. Can you tell me what they were?

RC1 (00:08:01):
Panic button in her desk. At her desk. I think they might've changed who could badge into that space. I know she had some concern or I understand from RC1 that she had some concerns later on about walking around in the space. Once RC1 came back, she and I never discussed that, but RC1 and I did and I gave some suggestions for panic buttons.

RC1 (00:08:41):
Okay.

Brenda Bannon (00:08:47):
Do you recall hearing secondhand an inquiry by, excuse me, RC1 regarding the ability to have Bulletproof Glass installed at the Clerk's office?

RC1 (00:09:04):
No.

Brenda Bannon (00:09:05):
Okay. Were you involved in any discussions about changing out some of the front counter area a little bit to make it be more a DA accessible?

RC1 (00:09:20):
No.

Brenda Bannon (00:09:20):
Okay. Fair enough. While you were working still out of the Tacoma office in your role as the RC1 , were you also the D-E-I-S-O-C-C chair?

RC1 (00:09:43):
Yeah.

Brenda Bannon (00:09:44):
And SOCC stands for

RC1 (00:09:48):

Strategic Oversight Content Continuity Committee, I think.

Brenda Bannon (00:09:56):
Something like that, yeah.

RC1 (00:09:58):
Yeah.

Brenda Bannon (00:10:02):
And were you the chair in 2024?

RC1 (00:10:05):
Yes.

Brenda Bannon (00:10:06):
Okay. The meeting that has been brought up that occurred on March 21st, 2024, where it's been relayed to me that folks in that committee meeting were talking about their initiatives and RC1 spoke up about wanting to step down and made some other statements. Were you at that meeting?

RC1 (00:10:31):
Yes.

Brenda Bannon (00:10:31):
You were at that meeting? Yes.

RC1 (00:10:33):
Okay.

Brenda Bannon (00:10:34):
So to the best of your recollection, I know it's been some time since then, what do you recall being stated in the meeting?

RC1 (00:10:44):
I don't remember exactly what she said in the meeting.

Brenda Bannon (00:10:47):
Okay. Do you have just a high level understanding recollection?

RC1 (00:11:04):
I just don't remember exactly. She and I had lots of conversations about lots of things and I just can't pick that one out.

Brenda Bannon (00:11:16):

Okay. Do you recall whether you met with RC1 the next morning to talk about what was said at the meeting?

RC1 (00:11:30):
No, I offered to, I don't remember whether she took advantage of it or not.

RC1 (00:11:34):
Okay.

RC1 (00:11:36):
I know at some point she told me that she had been emotionally raw when she came to that meeting because she had read an article or become aware that the person, there was a person in college faculty, because she shared the article with me that the article reported she had been treated poorly by her leader and not supported and committed suicide. And she had just found out that the supervisor had not been held accountable for any of that. So she found that out and came to the meeting and she said she was a raw and emotional when she came to the meeting. Okay.

Brenda Bannon (00:12:19):
And then a few days later on March 25, you and RC1 RC1 met with RC1, is that correct?

RC1 (00:12:31):
I was remote. He was in person.

Brenda Bannon (00:12:33):
Okay. And was that something you set up or did RC1 ask the two of you to meet? Do you remember?

RC1 (00:12:43):
I don't remember. We discussed the SOC meeting and what's the best way to move forward and thought we would try that. I don't remember who suggested who was the final decide, but

Brenda Bannon (00:13:01):
That

RC1 (00:13:01):
Was the course of action.

Brenda Bannon (00:13:03):
And then you have some handwritten notes from that particular meeting, correct?

RC1 (00:13:08):
Yes.

Brenda Bannon (00:13:09):

Could you tell me the

RC1 (00:13:10):

You do,

Brenda Bannon (00:13:11):

Yeah. Thank you. Could you do the large personal or professional courtesy to me and just walk me through your notes so that I know that I'm not missing anything.

RC1 (00:13:24):

I don't remember. I looked at the notes a little bit. I don't remember a lot of what the context was. I mean, this is a long time ago.

Brenda Bannon (00:13:33):

I know, I know. So let's just do our best to walk me through what you think your notes portray. It's been literally about 11 months, so it's a long time.

RC1 (00:13:47):

I get that one.

RC1 (00:14:18):

I really don't recall. What was the, I was trying to capture notes. I was trying to be attentive to what she was saying and I was remote.

Brenda Bannon (00:14:28):

I understand

RC1 (00:14:36):

RC1 was kind of moderating it because he, they were sitting facing each other. So

Brenda Bannon (00:14:58):

Did you find them?

RC1 (00:15:00):

Yeah, I'm reading, I'm looking at it. I'm just,

Brenda Bannon (00:15:02):

So it's just 3 25 24 9:00 AM and it's Hugh RC1 and RC1, right?

RC1 (00:15:10):

Yep.

Brenda Bannon (00:15:11):

And it says Spectrum Individual General Inclusion Challenge Society Inclusion Challenge. What was she talking about? Do you know?

RC1 (00:15:17):

I have no idea. And I don't know if it was her or if it was RC1

Brenda Bannon (00:15:20):

Okay. And then it says, I don't like you because you were black. Do you know who said that?

RC1 (00:15:26):

I don't, because I don't know if it was RC1 saying it to her about at that meeting. He was at that meeting also.

Brenda Bannon (00:15:34):

Okay.

RC1 (00:15:34):

He's a member of the side.

Brenda Bannon (00:15:36):

And then there's a question, it looks like what actions can we do in your shop department group?

RC1 (00:15:44):

I think that might've been RC1

Brenda Bannon (00:15:46):

Okay. And then I hit see, don't want to dominate conversation. Do you know who said that?

RC1 (00:15:53):

I think it might've been RC1 saying, but I don't want to dominate the conversation.

Brenda Bannon (00:15:59):

Okay.

RC1 (00:16:00):

And then RC1 started talking. Okay.

Brenda Bannon (00:16:03):

Before March of 2024, had you heard from RC1 that anyone had said to her in her employment, I don't like you because you were black?

RC1 (00:16:17):

I don't recall it before the SOC meeting. Okay.

Brenda Bannon (00:16:21):

And then there's a number one, and it says December nine, 10 slash 10, 2021. RC1 started December six, then it reversed to first person. I applied for this job. I didn't get it because of you. I didn't know he had applied, didn't get past phone screen clearly. They decided to go in a different direction. Do you know who's being a conversation?

RC1 (00:16:50):

I think RC1 is talking about her conversation with RC1.

Brenda Bannon (00:16:53):

Okay. And then the next phrase is, we don't get along and I don't like you because you are black or it says we won't get along and I don't like you because you are black. Is that what it says? Yeah. Okay.

RC1 (00:17:08):

And I think that's attributed to RC1 as well.

Brenda Bannon (00:17:10):

Okay. Had you heard that before?

RC1 (00:17:13):

Not before the so,

Brenda Bannon (00:17:15):

Okay. And then it says he made my next here a living hell, everyone in the office scared of him. Is that also RC1 Yes. Yes. Yes. Okay. And then it says, didn't get RC1 Do you know what is being referred to there?

RC1 (00:17:34):

He didn't get the RC1

Brenda Bannon (00:17:36):

Okay. The RC1 position?

RC1 (00:17:39):

Yep.

Brenda Bannon (00:17:39):

Okay. And then it says he lunged across the table at me in her office crying, pounded on table. What am I going to do now? Lunged across table. How am I going to then I can't read that fist, clenched on table, lunged forward fists out. What am I supposed to do now? Did I read that correctly? Yes. Okay. And do you know what that's referring to?

RC1 (00:18:09):

RC1 response to her telling him he didn't get the RC1 position according to her.

Brenda Bannon (00:18:16):

Okay. And that was an issue that happened in spring of 2022 and was investigated, correct? Yes. Okay.

RC1 (00:18:25):

Correct.

Brenda Bannon (00:18:26):

And ultimately that was one of the allegations that was found to be substantiated in a recommendation by you and RC1 that there should be a five day suspension and that was implemented. Correct?

RC1 (00:18:40):

He never served it,

Brenda Bannon (00:18:42):

So

RC1 (00:18:42):

He quit beforehand.

Brenda Bannon (00:18:44):

Okay. But the discipline first, the allegation was substantiated and the discipline was imposed after a grievance process, correct?

RC1 (00:18:54):

Yeah, after, yeah.

Brenda Bannon (00:18:55):

Okay. So I'm curious about what you just said that he never served it. I believe recently RC1 hadn't in his interviews said he did serve it. Does that not seem consistent with your memory?

RC1 (00:19:07):

That's not consistent with my memory. Of course I don't do timekeeping for them, but I think my thought was that he resigned.

Brenda Bannon (00:19:15):

Yes. My understanding is he resigned but served pending all of this disciplinary process. Who would I ask to just verify that one little fact point?

RC1 (00:19:25):

Probably RC1 ? Yes.

Brenda Bannon (00:19:29):
Okay, thank you. And then it says you need to leave. Do you know what that's referring to?

RC1 (00:19:39):
RC1 She said, in telling the story, she says she told him to leave. You need to leave.

Brenda Bannon (00:19:44):
Okay, perfect.

RC1 (00:19:45):
And he left.

Brenda Bannon (00:19:46):
And he left. Then next says she locked door, called her husband. Do you know what that next word says?

RC1 (00:19:57):
Maura? She was our trainer and she did EEO stuff.

Brenda Bannon (00:20:03):
Okay. Does that say that?

RC1 (00:20:07):
So she's in the HR department, so she called her husband and then she called Maura.

Brenda Bannon (00:20:10):
Got it. Okay. Do you know anything about what was discussed between Maura and RC1

RC1 (00:20:17):
No, other than I think that next sentence that said she suggested getting a panic button installed in the next day or two. Okay. So I think that she's saying that suggestion came from Maura.

Brenda Bannon (00:20:28):
And so has it been your understanding that the panic button was requested in response to this incident with RC1 ?

RC1 Yes.

Brenda Bannon Yes. Okay. And then what does that next three lines say?

RC1 (00:20:44):
RC1 would come and stand in doorway and say nothing. So RC1 would come and stand in her doorway and say nothing. She alleged and on RC1 he resigned.

Brenda Bannon (00:20:57):
And had you heard that before March of 24, he

RC1 [redacted] (00:21:00):
Stood the doorway? Yes.

Brenda Bannon (00:21:03):
She had told you that before?

RC1 [redacted] (00:21:05):
Yes.

Brenda Bannon (00:21:06):
Okay. Did she ask for advice from you what to do or?

RC1 [redacted] (00:21:12):
I think we had conversations about that, yes. And changing the locks, what does he do? You can't discipline somebody for just standing in a doorway, but you can tell them, you shouldn't come back here unless you're supposed to be back here. Those kinds of things. I think we probably had that kind of conversation.

RC1 [redacted] (00:21:35):
Okay.

RC1 [redacted] (00:21:37):
And then she also worked a lot with labor on specifics.

Brenda Bannon (00:21:41):
Okay. What does that mean?

RC1 [redacted] (00:21:43):
I don't know about, I don't know what on this, but I'm just saying she also called and got advice from labor.

Brenda Bannon (00:21:49):
Okay. What does that mean? Filed complaint?

RC1 [redacted] (00:21:55):
She filed a complaint about his behavior, I think.

Brenda Bannon (00:22:01):
Okay. And we're talking about the situation in the office?

RC1 (00:22:07):
Yeah, I think so.

Brenda Bannon (00:22:08):
Okay. Then that says C, what is purpose of the meeting? I assume RC1 asked that question. Correct?

RC1 (00:22:17):
Yeah. So that's a constant.

Brenda Bannon (00:22:19):
Okay. And B says fix problems, not rehash without change. Is that RC1

RC1 (00:22:24):
Yeah.

Brenda Bannon (00:22:25):
Okay. And then it says, reflecting on Thursday meeting, how do we fix it? Was that a question from RC1 you think?

RC1 (00:22:35):
I think so. I think people feeling unwelcome and unsafe. I think she had mentioned that at soc.

Brenda Bannon (00:22:43):
Okay.

RC1 (00:22:44):
That people called her and said that they felt unwelcome or unsafe.

Brenda Bannon (00:22:47):
Okay. Thank you. And then the next line, numerous conversation. What I've gone through, people support me best way they know how, best way they know how they don't look like me. That's from RC1 from your recollection?

RC1 (00:23:02):
Yes. Okay. Yes.

Brenda Bannon (00:23:04):
Respect, support that you try to provide RC2, driving into garage, is that what it says?

RC1 (00:23:13):
She recall or told us about that she RC2

RC1 (00:23:18):
And

RC1 (00:23:20):
That RC2

Brenda Bannon (00:23:27):
Alright. And then it says workplace bullying and lobbying. Her treatment is definition, do you think?

RC1 (00:23:35):
Yeah, so I think she said the way I'm being treated is the definition of workplace. What's been happening to me is workplace bullying and S the definition of it.

Brenda Bannon (00:23:48):
Do you remember whether you talked to her about mobbing at that time?

RC1 (00:23:52):
I don't.

Brenda Bannon (00:23:53):
Okay.

RC1 (00:23:56):
And as I said, RC1 was really MCing this, and I think he was trying to let her talk and share as much as she was comfortable sharing.

Brenda Bannon (00:24:15):
And then the next line, I love what I do, reason and purpose geared to be here devalued every day when simple requests are dismissed, I carry a lot of weight. RC1 says quote, you have a responsibility quote, ownership purpose for being here, wants to see it through, have to see them, and you are told to support them, but they don't have to do the same to her. And that's again from RC1

RC1 (00:24:47):
Yeah. But you left out one word

Brenda Bannon (00:24:50):
In read that. Oh, sorry. Which word?

RC1 (00:24:53):
I love what I do and people.

Brenda Bannon (00:24:56):

Oh, sorry. So

RC1 (00:24:56):
There's a lot of people that she has related that supported her.

Brenda Bannon (00:25:00):
Thank you.

RC1 (00:25:01):
Even in that department.

Brenda Bannon (00:25:04):
Okay. I scrolled up too quickly.

RC1 (00:25:09):
Yes,

Brenda Bannon (00:25:10):
Thank you. And onto the next page, it starts with, does it say devalues her and see her every day?

RC1 (00:25:23):
Yes.

Brenda Bannon (00:25:24):
Do you know what is being referred to there?

RC1 (00:25:27):
I don't know if it was specifically RC1 or if it was other people in her department. I think RC1 as an example.

Brenda Bannon (00:25:41):
Then it says Can't take action against them.

RC1 (00:25:48):
So she would recount that she would come in and some people would say hello and other people wouldn't and would look away or would roll their eyes.

Brenda Bannon (00:25:57):
Do you remember if she provided names of the people that didn't greet her or who would roll their eyes?

RC1 (00:26:03):
I don't think she did.

Brenda Bannon (00:26:07):

I haven't seen that. So I wanted to know if you had any recollection.

RC1 (00:26:12):

No, and I never got a sense that she wanted to do anything to them in that particular scenario. I do think, I know we had conversations about wanting to do something with RC1 when she said she couldn't remember how to do things

RC1 (00:26:31):

And

RC1 (00:26:31):

We're getting to RC1 And RC1 also was one where she wanted to be able to more strongly mandate things.

Brenda Bannon (00:26:42):

Okay. I'm assuming that the RC1 here is referring to RC1 . Is that not the case?

RC1 (00:26:49):

It's

RC1 (00:26:49):

True,

Brenda Bannon (00:26:50):

Yes. At that point, RC1 was out of the clerk's office, right?

RC1 (00:26:54):

Correct.

Brenda Bannon (00:26:55):

So it says, RC1 a memo, transition Labor reviewed. Why in writing, why not a conversation wasn't mean. Thanks that sent it to her labor. She is not, I'm guessing that says under any obligation to give it to you. Is that what you think? It says?

RC1 (00:27:15):

Yes.

Brenda Bannon (00:27:15):

Okay.

RC1 (00:27:16):

Yes.

Brenda Bannon (00:27:16):

Can you just clarify what's being discussed there?

RC1 (00:27:25):

She wrote a letter of transition to RC1 Alexandria given notice, labor, reviewed it before she sent it, and they wanted to know why is it in writing, why aren't you sitting down and having a conversation with her? RC1 didn't feel it was mean and she sent it to her and Labor said she's not under, and she didn't get a written response back. She wanted transition stuff.

Brenda Bannon (00:28:04):

I see. So we're talking about a memo that RC1 wrote to RC1 regarding, these are my expectations kind of thing. Before you leave to go to the council for your new job.

RC1 (00:28:15):

Yeah. These are my questions about all the things I want. I want this, I want that. I want to know this.

Brenda Bannon (00:28:20):

Where

RC1 (00:28:21):

Is this at? What have you done with this project kind of thing. Got it. I never

Brenda Bannon (00:28:24):

Read it,

RC1 (00:28:25):

But that's my sense of what the essence was. Okay.

Brenda Bannon (00:28:28):

And then the next paragraph starts with a notation at the far left margin. Do you know what that means?

RC1 (00:28:46):

Oh yeah. She wanted access to RC1 email and RC1 brings up,

Brenda Bannon (00:28:51):

What's the tt?

RC1 (00:28:53):

I think it's just xx. I'll do that if it's an action item for me when I'm writing stuff. Got it.

RC1 (00:28:59):

Okay.

RC1 (00:29:00):

So this is my action item to make sure that stuff is submitted so she can get, which she could have done on her own too, but just making sure it happened.

Brenda Bannon (00:29:14):

And so access to her email, RC1 sent her email to labor. If I don't give to her, she will retaliate against my team Labor. Said call me.

RC1 (00:29:26):

Yeah. So that RC1 said, I don't want, if I'm not responding and I don't give it to her, then she'll retaliate against me and my team. And so when she sent that email, I guess Labor said, well RC1 call us. Let's talk about it.

Brenda Bannon (00:29:46):

Okay. So RC1 was concerned that RC1 would retaliate against her team if she didn't provide those transition expectation items. Is that what I'm hearing?

RC1 (00:29:56):

That's what I'm sensing, yes.

Brenda Bannon (00:29:57):

Okay. And this was conveyed by RC1 her frustration about these issues?

RC1 (00:30:03):

Yes.

Brenda Bannon (00:30:03):

Okay. And then there's on the top of the next page, Alyssa slash Lisa Lisa was horrible to me. Me when dealing with RC1. He admitted to it mustn't then as bad as you see it, career service, would you feel the same way if it was a black man coming across the table and a white woman? So she expressing a dialogue between herself and Lisa.

RC1 (00:30:35):

I don't think she's expressing a dialogue. I think she's expressing an impression of what she thought, how Lisa supported her during that. So Lisa was what RC1 is now, she was the RC1 . And so Lisa did the investigation or was part of it, and that RC1 didn't feel that. This is RC1 saying she was horrible to me when dealing with this. RC1, he admitted to it and either she said, or she felt like Lisa thought it mustn't have been as bad as you see it. And he's career service. So he is a longtime career service and he can do no wrong, which I've heard from others in life as well. He is been here 20 years. Can't be bad. And I don't think Lisa said this to her, but I think RC1 said to us, would you feel the same way if it was a black man coming across the table at a white woman?

Brenda Bannon (00:31:43):

Right. Okay. And then the next phrase is, my husband sat outside. CCB.

RC1 (00:31:52):
Yep.

Brenda Bannon (00:31:53):
That is

RC1 (00:31:53):
County city building.

Brenda Bannon (00:31:54):
Thank you. To make sure I am safe. RC1 has heard of this. Is that true?

RC1 (00:32:00):
Yeah.

Brenda Bannon (00:32:00):
Okay. Pages of notes and nothing changed. Hard magic training. Won't

RC1 (00:32:08):
Wand.

Brenda Bannon (00:32:09):
Wand won't fix. What kinds of training did you or did you recommend to RC1 to assist in that workplace?

RC1 (00:32:21):
I think it probably was, I'd have to look at when Raul started and different things. I know in probably 2024 he did change management training with the department. The employees has done some management training with her management team. She also brought in somebody from a court group to do some change management training with the group as well.

Brenda Bannon (00:32:59):
Raul's last name?

RC1 (00:33:03):
Leo Trulio.

Brenda Bannon (00:33:08):
Did you say Neil or Raul?

RC1 (00:33:12):

And then it's a hyphenated last name. Leo.

Brenda Bannon (00:33:15):
Oh, sorry. Trulio. Okay, great. Was there ever a discussion with the clerk about bringing in an outside trainer for team building or non harassment training? Anti-harassment training?

RC1 (00:33:35):
Yes. That's what Raul did, as a part of the change management.

RC1 (00:33:41):
He also did DEI training with them.

Brenda Bannon (00:33:43):
Okay. What about team building?

RC1 (00:33:50):
We had team building with her management team.

Brenda Bannon (00:33:53):
Okay,

RC1 (00:33:54):
Thanks.

Brenda Bannon (00:34:05):
Do you recall, I'm going to go back to the notes, but do you recall RC1 prior to RC1 being rehired in July of 24, do you recall whether or not RC1 ever brought to your attention concerns about RC1 showing up at the clerk's office and visiting with some of the clerk staff?

RC1 (00:34:26):
Y .

Brenda Bannon (00:34:27):
Can you tell me when those kind of conversations started and what was said,

RC1 (00:34:33):
Kind of what you said came in? I don't remember exactly when any of them were, but he came in and he sat at somebody and talked to somebody for an hour, at least two or three times that he came in and we talked about talking to Labor about where people can be and they did eventually roll out policy around that in kind of a halting way.

Brenda Bannon (00:35:12):
So the visitor's policy was in part related to the RC1 visiting at the clerk's office issue

RC1 (00:35:19):
And just people from Superior Court in general just coming down and taking their breaks down there.

Brenda Bannon (00:35:26):
Okay.

Brenda Bannon (00:35:32):
And did RC1 tell you why she didn't want him visiting with the clerk staff?

RC1 (00:35:44):
Yeah, because she was afraid of him and B, because she believed there was a group of them that were working against her and he had been part of that.

RC1 (00:36:00):
Okay, thank you.

Brenda Bannon (00:36:10):
So going back to your notes, it says Magic training, wand won't fix support from colleagues. No problems there. After RC1 left, new fiscal manager couldn't find anything. Seven page complaint. RC1 . This is also more recount by RC1

RC1 (00:36:30):
Yes.

Brenda Bannon (00:36:30):
Okay. And then it says, lost RC1 Justin Arrow, supervisor know what it says after supervisor

RC1 (00:36:45):
Superior Court.

Brenda Bannon (00:36:45):
Okay. Justin Arrow, superior Court, Gary Arrow, Chris Gaddis for help. Arrow? No, not appropriate.

RC1 (00:36:57):
So RC1 went to Superior Court. RC1 , RC1 asked Chris Gaddis for help from RC1 and Chris Gaddis response was, no, that's not appropriate.

Brenda Bannon (00:37:12):
Okay. And then it says he won't talk to me. Chris Gaddis, if he needs something, he goes to Melissa or RC1 So she's, that's RC1 talking about the court administrator? Yes. Is that correct?

RC1 (00:37:32):
Yes.

Brenda Bannon (00:37:32):

Okay. Then on the top of the next page it says accepted behaviors, afraid to bring others into the organization, recognized people unprepared for me, heard through press release, took out frustration on me. My office was filthy, not wiped down. Refrigerator was full of molded food, no respect. Wiped down desk plan set before she arrived and continued culture down there, not responsible for actions. Did I read all that? Right. Okay. And then the next line is in quotes, I'm not doing that. Number two people, what is that referring to? Do you know?

RC1 (00:38:20):

No, I don't.

Brenda Bannon (00:38:21):

Okay. The next line says, due to experiences not dealing with labor long-term employees, you need to be softer culture down there. Newer employees feel isolated, balanced, newer employees, trained in court, arrow dockets, quotes. That is the way we have always done it. Quotes. So what I'm claiming from that is the longer term employee say that we've always done it that way, but the newer employees want to get trained in dockets or do you know what she was referring to?

RC1 (00:39:03):

I think the newer employee go to get trained and in dockets and when they ask why they do things, so some of them had experience from other places and they ask, why are you doing it that way? And the answer is, that is the way we've always done it.

Brenda Bannon (00:39:17):

Okay. The next line starts with set date for look and identified best practices changing because nothing is changing. Do you know what that was referring to?

RC1 (00:39:31):

Yeah. That she was looking at getting over that. That's the way we've always done it and really assessing what are best practices, identify them and start implementing them.

Brenda Bannon (00:39:47):

Okay. And then there's a line by itself, documentation with due date, what was referenced there?

RC1 (00:40:00):

I don't have that.

Brenda Bannon (00:40:03):

Oh sorry,

RC1 (00:40:04):

I have changed because nothing has changed. Yeah. Sorry,

Brenda Bannon (00:40:05):

I skipped down. 54 employees, 10 new hires, group pushes supervisor to do what they want documentation with due date.

RC1 (00:40:18):

Yeah. So I think she was talking, I think the 54 employees and 10 new hires was probably in response to either RC1 or I asking how many of new people do you have versus old, what's your, and then the group pushes the supervisors to do what they want. So in other words, even when she thinks they're going to do what she's instructed them, they peer pressure their supervisors to not do it. And I think we talked about, I don't know if it was me or RC1 doing documentation with due dates. Hey, you have to do this by this time so that they can take discipline against people who aren't doing what she's telling 'em to do. And RC1 and so then it's a RC1 So it's, RC1 said something about being the resistance because that's their power. It's being resistance. They've only done one thing for 20 years. I don't know if that was RC1 or RC1

Brenda Bannon (00:41:23):

It says only done one thing for 20 years. More resistance. New employees want to learn everything, our long-term giving accurate information or holding onto to protect their job. So that's a question maybe that RC1 posed

RC1 (00:41:40):

Or maybe a statement that she said that she's not sure they're training them properly.

Brenda Bannon (00:41:45):

Okay. Top of next page issue directive went to other jobs, she was only one who knew what to do not helping. Do you think that's referring to RC1 ?

RC1 (00:41:57):

Look it with RC1 . It could have been somebody else too.

Brenda Bannon (00:42:00):

Okay. It's something that was similar to your discussion about RC1 though, right?

RC1 (00:42:05):

Yeah.

Brenda Bannon (00:42:06):

Okay. And the next line says, asks how to support RC1 Answer, I'm okay then doesn't do it. Laughing with JJ in Hall. It sounds like a complaint about RC1 and RC1 still having conversations after he left, is that right?

RC1 (00:42:24):

Yes.

Brenda Bannon (00:42:24):

Okay. Something happens in office then. Kevin Stock put in PRR on that information. Is that a comment regarding, it seemed that Kevin stock was behind some of the press releases.

RC1 (00:42:40):

Yes. In the public records request. So RC1 said that it seemed to her that when they found something that was not going well in the office,

RC1 (00:42:51):

I think

RC1 (00:42:52):

Digging up something from the past and how they do it, as soon as that was discovered and they would start trying to fix it, there would be a public records request asking for how long, how past due are you on this?

Brenda Bannon (00:43:04):

Sure. Okay. And then the next line says, RC1 looking at her emails not appropriate. Megan, I trust RC1 What's that referencing? Do you know?

RC1 (00:43:17):

As part of the public records, RC1 is one of her supervisors and he does her public records and she thinks he is one of the people who don't support her.

Brenda Bannon (00:43:26):

Okay.

RC1 (00:43:27):

And so he's getting to look at all her emails in response to these public records requests and she doesn't think it's appropriate that a subordinate is reading her email. And Megan, who's Megan Circle, who's our public records countywide person, when she approached her, said she said, I trust RC1

Brenda Bannon (00:43:50):

Okay. So then it says, so

RC1 (00:43:52):

She felt dismissed and devalued.

Brenda Bannon (00:43:55):

And then it says RC1 having conversation with Kevin again to have in stock and probably more than bare minimum damage has been done requested in November, but not getting it until now. Do you know what that's referring to?

RC1 (00:44:09):

Yes. I think it's still on the public records that she had asked for somebody else to be doing them in November, but she's not getting it until now.

Brenda Bannon (00:44:19):

Okay. And reoccurring someone in my office saying something about me. Judge Rumba is brought up always on an offensive. I offered to help the judge number RC2 I don't need anything. What's that about?

RC1 (00:44:38):

It ties to RC1 .

Brenda Bannon (00:44:40):

Oh, okay.

RC1 (00:44:42):

So allegedly RC1 would say stuff to Judge Rumba, I'm not allowed to do this because RC1 says so kinds of things. I'm not allowed to talk to you anymore. Where RC1 as I recall was saying, RC1 we should talk about where we're going with the program before you're up pitching it to a judge.

RC1 (00:45:05):

Okay. Okay.

RC1 (00:45:07):

And so then when RC1 offered to help him, RC2 . He said, I don't need anything from you.

Brenda Bannon (00:45:16):

Okay. Top of next page about people taking direction not to get rid of them.

RC1 (00:45:26):

I don't know exactly what that one is.

Brenda Bannon (00:45:28):

Okay. Reached out for support to maintain a high level of professional, Lisa, softer and not so demanding when you don't have support. I treat everyone as an individual regardless of what is the reason for coming into the office. I'm exhausted. How do you break the cycle? This is all constant explaining her feelings.

RC1 (00:45:55):

Yes.

Brenda Bannon (00:45:56):

Okay. Get people to just be respectful. I would have expectation expected this something came. Can you read that?

RC1 (00:46:12):
I don't know if it's, I came in and fired people, but that is not how I work.

Brenda Bannon (00:46:17):
Okay.

RC1 (00:46:17):
Maybe. Yeah,

Brenda Bannon (00:46:20):
They can think what they want, but we have a job to do pro bono event. I don't want to be referred to as You must be the new Carol Mitchell. And I understand from other interviews, Carol Mitchell was a black woman who used to work at the county. Is that correct? And then that person sued the county, is that correct?

RC1 (00:46:42):
Yes.

Brenda Bannon (00:46:42):
Okay. Later found out who she was and was offended. Six month review at the top of the next page. B. So RC1 just simple stuff. Cleaning, office, preparing people need for change. County wasn't aware of some things either. Is that what it says?

RC1 (00:47:03):
Yeah, I think so.

Brenda Bannon (00:47:07):
Alright. And then I don't know who the next line is attributed to. Is it RC1 business operating?

RC1 (00:47:15):
No. No. Who said it, but have you heard this?

Brenda Bannon (00:47:17):
Yes. So

RC1 (00:47:19):
Okay, so

Brenda Bannon (00:47:20):
A title company of referring

RC1 (00:47:21):
To Yeah, there was things going on that we didn't know about.

Brenda Bannon (00:47:25):
Okay. For example, a business operating out of the clerk's office for 31 years under microscope. Now magnified mistake is compounded. Assume she is incompetent. Walking on eggshells, getting back to Kevin, RC1 arrow, RC1 what is that? And

RC1 (00:47:45):
I think under microscope now, magnified microscope and black. I think she was saying

RC1 (00:47:55):
I couldn't read that.

Brenda Bannon (00:48:01):
Go ahead.

RC1 (00:48:03):
Yeah, so I think just that she was equating that with when bad things were found, they assume that it's her fault and because she's a black woman.

Brenda Bannon (00:48:11):
Got it. What does it mean getting back to Kevin, RC1 .

RC1 (00:48:19):
I think RC1 probably by this time was no longer in the office. Maybe RC1 wasn't either. And of course Kevin is Kevin stock and that things are getting back to them

Brenda Bannon (00:48:28):
On the top of the next page when I still feel traumatized by their actions and I see them, I am expected to maintain my professionalism. Stereotypical angry black woman isn't me, but I hurt every day if I'm forced to leave, what happens to me after if I stay strong, I don't care. I don't know how I fix that. RC2 Is that all RC1 talking?

RC1 (00:48:59):
Yes.

Brenda Bannon (00:49:00):
Okay. Top of next page. I think this is the last page. School of art student dropped in, talked for 30 minutes, so much more than them. I wanted to tell them my pain, but I want those young people to teach adults to be inclusive. One of the teachers, something I shared with civics teachers to come in and talk to civics class, opportunity to fill cup. Did I get that right?

RC1 (00:49:31):

Yes.

Brenda Bannon (00:49:32):

Okay. And that was it, right?

RC1 (00:49:36):

Yep.

Brenda Bannon (00:49:36):

Okay. Those are your notes. Do you remember, you've talked before about action steps. What action steps were in the aftermath of that meeting?

RC1 (00:49:50):

I know RC1 went down and had further end of that meeting with her and looked at this, it ended up talking about the workspace. And so then there was quite a few action steps over the next few months that in RC1 perception kind of went and halts and bits and it move along and then it stopped. And didn't knowledge go as quickly or as well as she would've hoped it would and got some mixed results from her employees.

RC1 (00:50:26):

Okay.

RC1 (00:50:31):

I think the other thing that came out of that meeting was RC1 initiated regular meetings with the three of us, and every meeting was about running her concerns to the ground and hearing if there were new concerns.

Brenda Bannon (00:51:02):

And was one of the questions that you or RC1 posed to RC1 was following up with a personnel investigation regarding the topics that she had raised?

RC1 (00:51:16):

I don't know that that came specifically out of that meeting.

RC1 (00:51:24):

Okay.

Brenda Bannon (00:51:30):

Did you at some point between March 25 and now have conversations with RC1 about initiating a personnel investigation about her concerns?

RC1 (00:51:43):

I don't think I did. I think RC1 had those conversations.

Brenda Bannon (00:51:47):

Okay. And then, so this is late March. In early June, 2024, there was a all staff meeting at the clerk's office where in the aftermath, RC1 alleged that RC1 was disrespectful to her, raised her voice, and turned her back on her in front of everybody, including a new intern that had her first day that day. And you're nodding, how did you learn about that event?

RC1 (00:52:22):

I believe RC1 called me.

Brenda Bannon (00:52:23):

Okay. Can you tell me the best you recall what was said to you?

RC1 (00:52:31):

Kind of exactly what you just said? That she'd had this meeting and it hadn't been supported by her supervisor because they didn't jump in and say, yes, you were trained or anything else. And in response to this employee saying that it was not, the software package was not implemented and they hadn't been trained well and that at some point this employee turned their back on her while she was talking. So I called Labor and asked them to do an investigation.

Brenda Bannon (00:53:13):

Okay. And go ahead so that it's clear to me what is that differentiation between the HR department you refer to? Labor.

RC1 (00:53:28):

Labor is a division of HR and that is their role is to do investigations. They're labor and employee relations, so anything to do with employee relations, discipline, labor bargaining and union contracts all falls within their area of responsibility.

Brenda Bannon (00:53:45):

Okay, perfect. Thank you. And I haven't seen a written complaint of any kind regarding that particular set of allegations. So it sounds like it just went verbal from RC1 to you to labor. Is that fair?

RC1 (00:54:00):

I think so, yeah. I think it also went to RC1 and I think he probably called me to ask me about it too.

Brenda Bannon (00:54:04):

Okay, great. Thank you. Do you happen to know, and if you don't know, you don't know, do you happen to know whether or not RC1 learned about RC1 being the possibility of them being rehired before the official announcement?

RC1 (00:54:28):

I don't know if there was an official announcement.

Brenda Bannon (00:54:32):

There was an announcement within the prosecuting attorney's office

RC1 (00:54:37):

And I don't get those.

Brenda Bannon (00:54:39):

Right. So you don't know one or another, so I don't. Okay. And so you sent me an email and I appreciate that, explaining that you got a call from RC1, and this was in response to a question I posed to you. You received a call from RC1 once you learned that RC1 was being rehired or he had been rehired in July of 2024 by the prosecuting attorney's office. Please tell me what was said. You've conveyed that RC1 said she was scared. Please convey as much as you recall about what she said about being scared and her reasons for being scared.

RC1 (00:55:22):

I don't think she said that at that call at all my recollection. I was, I think at a job fair out of state and in the middle of it, and I got a call from her and I think all she said was, if you can't tell me, I understand, but has RC1 been rehired by the prosecuting attorney's office? And I said, yes, he was. I verified that they looked at his file and they made a decision to hire him.

Brenda Bannon (00:56:05):

And then what was said,

RC1 (00:56:07):

And I think at that point she said, okay, that's what I needed to know. And she hung up the phone.

Brenda Bannon (00:56:12):

Okay. And then did you have a different conversation about her being fearful?

RC1 (00:56:18):

I think we've had that be a part of lots of conversations over these years. Both when he was still in the office, when he would, as you asked about before show up in the office after he wasn't working at the building at all,

Brenda Bannon (00:56:35):

But once he was

RC1 (00:56:36):

Feel.

Brenda Bannon (00:56:37):

But once he was hired, did it come up again? Is my question rehired?

RC1 (00:56:41):

Yes. Okay.

Brenda Bannon (00:56:42):

Yes,

RC1 (00:56:43):

Because she was concerned about being in the parking garage.

Brenda Bannon (00:56:45):

Okay. So I don't have a sense of where or when that conversation with you happened. So if you could help me out.

RC1 (00:56:54):

I think it was lots of little pieces over time. And then

Brenda Bannon (00:56:58):

From July, from July 8th, 2024 forward,

RC1 (00:57:05):

I don't know. And I don't know, sometimes she would talk, she had one-on-ones with RC1 she had one-on-ones with me. We had a joint meeting together. Sometimes she would tell stuff to RC1 he would call me and ask me about it and sometimes it would come from her. I know we looked at where his badge was allowed to make sure that he didn't have badge authorization to be in the same part of the parking garage as she was in.

Brenda Bannon (00:57:33):

Okay. And was there, you said you problem solved the issue and you suggested a panic button that would be a personal panic button, is that right?

RC1 (00:57:45):

Yeah, so RC1 had called me and said, and it was probably a second or third conversation, so I think he first called and said that she had said she was uncomfortable and he was going to check with security to find out if they could give her something for when she walked around in the building. He didn't think it was right that she didn't feel comfortable walking around the building and she stayed locked in her office. And then he at some point said, well, security says they don't have a mobile panic button, so I don't know what we're, we don't really have a solution. And I said, well, I have a disabled sister. And for a while she had one of those I've fallen and can't get up buttons, but it was on her wheelchair tray, she's nonverbal. And so she would go out into the community with their wheelchair and if anybody found her, had had a sign there that said if you have questions about this person, push the button. And then they had, it would call a phone bank and they could get information about her and get connected to the right people. I said you could do something like that. And hers had GPS on it as well. So if she had it set up, that agency would immediately call security and report where her location was and that might be an option.

Brenda Bannon (00:59:09):

Okay. Did that happen, do you know?

RC1 (00:59:13):
I don't have any idea.

Brenda Bannon (00:59:14):
Did RC1 give her his parking space while he was there?

RC1 (00:59:18):
Yes, to believe so.

Brenda Bannon (00:59:19):
Okay. Did security get tied in so they could walk her to her car?

RC1 (00:59:25):
I believe so. That's a standard service that they offer anybody.

Brenda Bannon (00:59:30):
Okay. Do you remember why you suggested to RC1 that she meet with Treja? Miranda?

RC1 (00:59:45):
I had suggested that she give her a chance because she was very distrustful of the prosecuting attorney's office and I felt that Treja would be a new fresh set of eyes and she was coming from a private firm, so she wasn't kind of indoctrinated into this whole career service. People don't ever do anything wrong. Philosophy.

Brenda Bannon (01:00:07):
Was there a reason why you mentioned that TR was a person of color?

RC1 (01:00:12):
Because RC1 and I had lots of conversations about how color plays in lots of things, and just that she had said, nobody around here looks like me. Nobody can understand my perspective. And I said, I thought maybe that would also help with seeing her perspective. At least it was that commonality.

Brenda Bannon (01:00:33):
Okay. Thank you.

RC1 (01:00:35):
And I do have a hard stop

Brenda Bannon (01:00:38):
Shoot. Can you give me two minutes?

RC1 (01:00:41):
I can give you two minutes.

Brenda Bannon (01:00:42):
Thank you. During the April, 2022 RC1 investigation, did RC1 bring up her race as a motivating factor?

RC1 (01:00:55):
I don't recall…

Brenda Bannon (01:00:57):
During that...

RC1 01:00:57):
I don't recall. Sometimes she would say things about, I don't want to think it's my race. Sometimes she would say stuff about just in general, I don't know why, whether it's this or whether it's not that. My mother always raised me and told me, you don't go back and rely on that

Brenda Bannon (01:01:17):
Tied to that particular investigation. You just …

RC1 (01:01:21):
…don't remember

Brenda Bannon (01:01:24):
Regarding the June, 2024 RC1 investigation, in your conversations with RC1, did she raise her race as a motivating factor?

RC1 (01:01:36):
I don't remember any more specifically than that same kind of conversation. If it did happen, it would've been that kind of thing.

Brenda Bannon (01:01:45):
Do you remember one way or another?

RC1 (01:01:49):
I never remember her saying anything that RC1 [sic] said or did that would lead you to believe it was based on race.

Brenda Bannon (01:01:55):
Okay. And then in the summer 2023 meeting that you had regarding RC1 and RC1, and I sent you notes that were made, I understand by somebody else, but it says that you were at that meeting on August 15th, 2023. Do you remember that meeting?

RC1 (01:02:15):

I remember that meeting. I was remote and RC1 was on the right of the screen and they're sitting around a round table. So I'm looking right at Lisa, RC1 is on my right and RC1 is on my left. And I think Elisa must have been remote as well, who took the notes and all I can, the real thing I can remember is that RC1 spent most of the meeting pointing at RC1 face.

Brenda Bannon (01:02:47):

Oh, okay.

RC1 (01:02:49):

And so I had this hand in front of RC1 was all energized regarding RC1

Brenda Bannon (01:02:53):

.Right.

RC1 (01:03:00):

She was out of control. She was wound up

Brenda Bannon (01:03:04):

During that meeting. I don't see it in the notes, so I wanted to know your recollection. Did RC1 RC1 bring up her race or her color as a motivating factor for RC1 not cooperating with her or RC1 not cooperating with her?

RC1 (01:03:20):

No, I don't think so. It was more just like a gang mentality. For whatever reason, they chose not to be cooperative.

Brenda Bannon (01:03:34):

Okay. Alright. So it is 3 35. Thank you for giving me five extra minutes. I wish you well and thank you very much.

RC1 (01:03:45):

Thank you. Bye.

Brenda Bannon (01:04:35):

We are off the record.

Brenda Bannon (00:00:01):

So we're on the record. According to the computer, it's ten one in the morning on March 13th, 2025. My name is Brenda Bannon. I'm with the law firm of Ogletree Deacons. I'm meeting remotely with RC1 [redacted], do I have your permission to record our conversation?

RC1 [redacted] (00:00:22):

Yes.

Brenda Bannon (00:00:22):

Thank you so much. So we are meeting remotely. So I am in a closed workspace with nobody else present to protect the integrity of the investigation and the confidentiality of the underlying personnel matter. Are you also in a closed door space with nobody else present?

RC1 [redacted] (00:00:44):

That's correct.

Brenda Bannon (00:00:44):

Okay, thank you. Well, lemme confirm, you did receive the notice of the investigation from Paula Manning, is that correct?

RC1 [redacted] (00:00:57):

That's correct.

Brenda Bannon (00:00:58):

Okay, thank you. So

(00:01:00):

I believe you understand I've been retained by Pierce County to serve as an outside impartial workplace investigator as a fact finding investigator. And in that role I gather the facts, evaluate the facts, and report out the facts, and then I'm removed from any decision making that might occur. Once the investigation has concluded, though I am an attorney, I'm not asked to provide legal advice or legal opinion, and at the end I am writing a report, a written report regarding my findings that will be submitted to the prosecuting attorney's office and to a representative at the finance department. Any questions so far?

RC1 [redacted] (00:01:53):

No.

Brenda Bannon (00:01:54):

Okay. So it is important for you to understand I do not represent Pierce County and I do not represent the prosecutor's office or the finance department or the prosecuting attorney's office. Understood?

RC1 [redacted] (00:02:09):

Correct.

Brenda Bannon (00:02:09):

Okay, thank you. I am interviewing you as both a witness and subject, and so in any event, the most important thing for you is to be as honest and candid and forthright with me as possible. RC1 is it okay if I call you RC1

RC1 (00:02:28):

Yeah, sure.

Brenda Bannon (00:02:29):

All right. Feel free to call me Brenda. I do remind everyone. I try to remember to remind everyone that I meet with that it's important for you to refrain from engaging in any sort of communication or conduct that could be interpreted or construed as attempting to influence or impede the investigation or to pressure anyone to participate in a particular bay. Also, you know this, but it's a good reminder. Pierce County is a public entity and so it does have to comply with the Public Records Act and its obligations. If anyone were to ask for any portion of my investigative materials while the investigation is pending, I would refer that request to the legal advisor. So it would be, excuse me, bless

RC1 (00:03:20):

You.

Brenda Bannon (00:03:23):

Maybe that means spring's on the way. RC2 . I'll see it as a good sign. So it would be somebody else's decision, but I can tell you that ordinarily all of my investigative stay with me while the investigation is pending. The other thing I'd like to highlight is that as a participating witness, you are also protected by county policy and your department policy if there is a separate one regarding non retaliation provisions. So if at any time you believed had a sense that you were experiencing retaliation for your participation in this investigation, I encourage you to follow those internal policy protocols, which often includes notifying hr, letting your supervisor know. And I don't know, are you a part of a union too?

RC1 (00:04:19):

I'm

Brenda Bannon (00:04:19):

Not a union member. Okay. And while the investigation is pending, I always like to hear about that kind of thing, so feel free to reach out. You should have my contact information now, and if you've misplaced it, just reach out to Paula or your supervisor I suppose. So I think that sums up my initial spiel. Do you have any questions about anything you've heard so far?

RC1 (00:04:50):

Nothing yet,

RC1 (00:04:50):

No.

Brenda Bannon (00:04:51):

Okay, great. So it's always helpful RC1 for me to know a little bit about who I'm meeting with and at this point I've been working this investigation for a few months and so I have a pretty good sense of kind of your role at the county, but that's just what I see on paper. And before I meet with witnesses I do a little Googling, so I have a sense, but could you do me a favor? Tell me a little bit about your educational background and your work history.

RC1 (00:05:26):

Sure. So I've actually been working in the RC1 department here for 12, almost 13 years here. Before this I worked for a private company called RC1 where I was assistant and store director for, I went to school here in RC1, and then I went to RC1.

Brenda Bannon (00:05:54):

What was the second thing?

RC1 (00:05:56):

RC1.

Brenda Bannon (00:05:58):

Okay.

RC1 00:05:59):

And I'm currently a core fiscal manager here with the Superior Court

Brenda Bannon (00:06:07):

During my core fiscal manager,

RC1 (00:06:09):

I'm sorry,

Brenda Bannon (00:06:10):

Core fiscal manager

RC1 (00:06:13):

Court.

Brenda Bannon (00:06:13):

Okay, thank you.

RC1 (00:06:14):

Yep. So I work for the Superior Court now as their fiscal manager. During my time with the county, I've held pretty much the same role for eight or nine of the years, just a different department. I worked with

the clerk's office for eight years, nine years, and then I went off to district court and was their fiscal manager for a short period of time before this position opened up and I had to accept it.

Brenda Bannon (00:06:43):

Okay, terrific. Thank you so much. So with the county until approximately 13 years?

RC1 (00:06:50):

Yes.

Brenda Bannon (00:06:51):

Okay. And then did you get a degree at that university?

RC1 (00:06:56):

No, it is incomplete degree.

Brenda Bannon (00:06:58):

Okay. Alright. And would you say you have received your fiscal training on the job? Is that how you see it or?

RC1 (00:07:12):

Yeah, I learned a lot obviously in school, even though I don't have the degree. That's my background in school. But I also, I learned a lot of my core knowledge from my previous position with Safeway. I completed a few programs with that company that provided me those opportunities to be a store manager and learn other financial duties.

Brenda Bannon (00:07:37):

Okay, great. Thanks for that. That's super helpful. And your current supervisor, is that the court administrator, Mr. Gaddis?

RC1 (00:07:51):

That's correct.

Brenda Bannon (00:07:52):

Okay. And is he commissioner or does he have a different title?

RC1 (00:08:02):

Court administrator.

Brenda Bannon (00:08:02):

Court administrator. Okay. And then when you were in district court, your supervisor was Misty, is that correct? That's correct. That's correct. What's her last name?

RC1 (00:08:20):

Robeson, R-O-B-I-S-O-N.

Brenda Bannon (00:08:24):

Okay.

RC1 (00:08:26):

All.

Brenda Bannon (00:08:34):

I'm going to start just getting a couple of things out of the way and just hearing from you as to the reasons it's been relayed to me that when you were working in district court after leaving the clerk's office, you were approached by Misty, your supervisor with a request to help and the clerk's office sort out some financial issues and you declined to help out. Is that a correct summary of that scene?

RC1 (00:09:11):

That's probably correct, yeah.

Brenda Bannon (00:09:12):

Okay. So I'm going to follow up with a question that is just going to let you talk. Alright. Why did you decline to help?

RC1 (00:09:23):

Well, I started a new career, a new job myself with a 50 $50 million budget. It's a lot of money to handle. I'm learning a new job. I set up a progression in the clerk's office and had it running fine when I left. It should have been rolling in good hands and so I had to focus on my own self and make sure I could do my current job,

Brenda Bannon (00:09:51):

But why not offer a day or two just to see if you could help?

RC1 (00:09:55):

Because I didn't have the time.

Brenda Bannon (00:09:59):

Okay. Any other reason?

RC1 (00:10:05):

The reasons just because I was treated pretty poorly there also, so I wasn't going to go on a limb, especially when I need to work on my own. I need to take care of myself to make sure I was successful in my current job. That was the main thing.

RC1 (00:10:19):

Okay. Alright.

Brenda Bannon (00:10:31):

And if you were to give me three sentences, and I'm not suggesting that's all there is, but if you were to give me three sentences as to explaining that statement, I was treated poorly there, what would those three sentences be?

RC1 (00:10:51):

Well, you have to remember at this time right now, I haven't worked there for a couple years, so I've managed to block these things out. I had a lot of trauma there. I left my career there to go to something new as a lateral movement because of the hostility at that place. RC2 [redacted]. So with that said, I wanted to make sure that you understand my basis for where I'm coming from is I have a lot of information stored in here, but I've suppressed everything so down because I couldn't function with all of that mess.

Brenda Bannon (00:11:45):

Okay, I get it. So I guess that's part of why I was trying to give you a help by saying if you had three things to say. So in other words, I don't want to get into the minutia and I have reviewed a number of things and so I want to be open and transparent with you. I received a complaint letter that you wrote back in the fall of 22, and we provided to finance anonymously. Also, you wrote a letter in summer of 23 in support of RC1 [redacted]. So I have that as well. So I do have some sense, but I wanted to hear from you if I could, just at a very high level, if there were three things that lead you to make those conclusory statements about hostility RC2 [redacted] what would those three things be?

RC1 (00:12:44):

Yeah, so our director was hostile, emotional. The director was incompetent and aggressive and a liar.

RC1 (00:13:02):

Okay. I All right.

Brenda Bannon (00:13:18):

Thank you. So similarly, and I would probably glean that you're going to give me a similar response, but I need to ask, it's my understanding that when you accepted the position, your current position in superior court and your supervisor was the court administrator, Gaddis, the RC1 [redacted] approached administrator Gaddis to ask if you could help, since we're all in the finance department and need to make sure finance is successful in whatever department we're in. And the request was if you could just give a bit of time to help over in the clerk's office because there were some gaps of knowledge and issues with reconciliation and you said no at that time too. Is that true?

RC1 (00:14:13):

That's that's correct.

Brenda Bannon (00:14:16):

And I'm just going to ask the question, how come

RC1 (00:14:20):

When I left there, I left that office in well hands with the knowledge to perform those duties. After I exited that office, RC1 RC1, made her way to abuse the person that I left the knowledge with and treated her very poorly. And as you can see from the letter I wrote, that's what that is pertaining to. It was essentially a couple things that kept me from helping that office. One was I left it in good hands and running in perfectly in good order with a succession plan in place. And to have the person that I had trained to take over be abused in such a heinous manner did not leave a great taste in my mouth as well.

Brenda Bannon (00:15:17):

Are you talking about RC1 ?

RC1 (00:15:18):

Correct.

Brenda Bannon (00:15:19):

Okay.

RC1 (00:15:20):

She actually filed a grievance. With that said, another issue is when I and a lot of my coworkers or colleagues explained to the county that we were under a lot of hostility and we were under a lot of duress and not in a good place. Nobody was on our side and we were shunned away. And so I obviously didn't feel the need to go above and beyond anymore for the place that I've given 13 years to dedicate and do a great job at. Everything I've done so far never had any issues.

RC1 (00:16:07):

Okay.

Brenda Bannon (00:16:14):

Alright, thank you. So your current title is Court Fiscal Manager?

RC1 (00:16:25):

That's correct.

Brenda Bannon (00:16:25):

Alright. At a high level, what are your top handful of duties?

RC1 (00:16:32):

Yeah, so essentially in this current role, I'm in charge of all the fiscal duties in the Superior Court. I handle all the payroll. I make sure that we're staying on budget with any expenditures. I track the revenues and I work with grants to make sure that programs can be ran. I have an employee, I have employee that I need to lead. I also serve as part of the administration team, which makes bigger decisions based on the wholly office, not just financially. So I'm considered the third person in this office to make sure things run great.

RC1 (00:17:13):
Okay. Thank you.

Brenda Bannon (00:17:26):
So you left the clerk's office in RC1, is that right?

RC1 (00:17:32):
Sounds about right. Yep.

Brenda Bannon (00:17:34):
And again, I've read what you provided to finance anonymously. What's the main reason you left?

RC1 (00:17:45):
Oh, I was not happy with the hostile work environment. I left for a lateral move, no extra money to change my entire life to get out of there.

Brenda Bannon (00:17:58):
So the move to district court was the same pay grade, same position, same position, same pay, same

RC1 (00:18:04):
Position,

Brenda Bannon (00:18:05):
Scale,

RC1 (00:18:06):
Everything.

Brenda Bannon (00:18:08):
Okay. Did you like it in district court?

RC1 (00:18:11):
Yes.

Brenda Bannon (00:18:11):
Okay.

RC1 (00:18:12):
I really did. Yeah.

Brenda Bannon (00:18:13):
When you moved to Superior Court, was it for a higher pay step?

RC1 (00:18:18):

No, it actually was just a better fit for me. I left district court and I continued to help them after I left as well. To this day, I did like it there, but the attractiveness of this position was something that I couldn't pass up.

Brenda Bannon (00:18:35):

So same pay?

RC1 (00:18:36):

Same pay. Yep.

Brenda Bannon (00:18:38):

Why was it more attractive?

RC1 (00:18:40):

I had an opportunity to work back with the Superior Court, which I obviously with working with the clerk's office, they're the superior court clerks, and so I had an opportunity to get back with that felony court, which I liked. I liked the programming of it and stuff like that because district court's a lower court.

Brenda Bannon (00:18:59):

Got it. Okay.

RC1 (00:19:00):

The misdemeanor court, and I like to be involved in the felony felony court.

Brenda Bannon (00:19:06):

It was more familiar to you and some of the people that you had been working with before in some fashion? Yeah. Okay, great. Terrific.

RC1 (00:19:15):

Yeah, and I did not leave on district court on negative terms at all. They still love me and I talk to them quite often when they need help. Oh,

Brenda Bannon (00:19:21):

Good. Good to hear that. What's the name of your former boss? Is it RC1 ? That's correct, yes. Did he encourage you to send that letter to finance in October of 22?

RC1 (00:19:38):

Oh heaven's no. No, that was me.

Brenda Bannon (00:19:41):

Did you ask him who you should send it to and he suggested who to send it to?

RC1 (00:19:47):
No,

Brenda Bannon (00:19:47):
Not at all.

RC1 (00:19:49):
Not that I remember, no.

Brenda Bannon (00:19:50):
Okay. Were you in contact with RC1 during that time of transition with RC1 in her first year in 2022?

RC1 (00:19:58):
Oh, I talked to RC1 often still. Yeah.

Brenda Bannon (00:20:02):
So you still talk to him often?

RC1 (00:20:05):
Correct.

Brenda Bannon (00:20:06):
Okay. So you consider him a friend?

RC1 (00:20:08):
Yes. Yeah, absolutely.

Brenda Bannon (00:20:10):
You socialize with,

RC1 (00:20:12):
Yep.

Brenda Bannon (00:20:14):
Alright, but you don't think you talked about this issue with him?

RC1 (00:20:19):
Maybe. I'm sure I talked about it and I don't know exactly what I talked about, but I'm sure I brought it up in passing. Yeah, of course.

Brenda Bannon (00:20:26):

Okay. Well, let me ask this question. It's been suggested that RC1 stock has in some fashion collaborated with others, perhaps yourself in trying to make RC1 RC1 job harder and to set her up to fail and you're scrunching your face. Is any part of that ring true for you?

RC1 (00:20:53):
Absolutely not.

Brenda Bannon (00:20:55):
And why do you say absolutely not?

RC1 (00:20:57):
Because he has no issue with her outcome. She's making her job harder by being the way she is.

RC1 (00:21:08):
Okay. All right.

Brenda Bannon (00:21:21):
Did you leave the clerk's office in order to have RC1 fail?

RC1 (00:21:28):
No, I left because I was unhappy and I was tired of abuse.

Brenda Bannon (00:21:34):
Did you tell RC1 that she would fail without you?

RC1 (00:21:39):
Never once.

Brenda Bannon (00:21:45):
Did you specifically make this statement, when I leave, this office will fold, it will shut down?

RC1 (00:21:54):
Not that I know of.

Brenda Bannon (00:21:56):
Does that sound familiar?

RC1 (00:21:58):
No.

Brenda Bannon (00:22:02):

So you've mentioned a couple of times, RC1 that you left the office in good shape, in good hands, in good order, a succession plan. I think those are some of the terms phrases you've used so far today. Do you agree?

RC1 (00:22:15):
Yes.

Brenda Bannon (00:22:15):
Okay. Let me ask you the specific question. Did you leave behind written protocols? Written procedures, written instructions, written account access information for your successor?

RC1 (00:22:32):
Yes.

Brenda Bannon (00:22:33):
Where did you leave such things?

RC1 (00:22:35):
It's in the red binder.

Brenda Bannon (00:22:41):
Where did you leave the red binder

RC1 (00:22:44):
On the desk.

Brenda Bannon (00:22:46):
Did you let RC1 know where it was and what it was?

RC1 (00:22:51):
RC1 wouldn't talk to me, so I didn't really speak with her after I put in my notice.

Brenda Bannon (00:22:54):
Okay. So you left a red binder on your desk with all that information?

RC1 (00:22:59):
I told RC1 that she probably needed to spend some time with me before I left, but she did not.

Brenda Bannon (00:23:05):
You did ask her to

RC1 (00:23:07):
Correct? I received the silent treatment. So

Brenda Bannon (00:23:17):

What does that mean? Received the silent treatment?

RC1 (00:23:19):

No word spoken.

Brenda Bannon (00:23:26):

Okay. And did you bring the red binder to the attention of RC1 before you left?

RC1 (00:23:34):

That binder was known in that section, so it wouldn't have been something that it directly communicated with. Everybody knew what it was.

Brenda Bannon (00:23:42):

Why did everybody know what it was? You were the one that was using it.

RC1 (00:23:47):

I didn't say I was using it. You asked me if I left it behind.

Brenda Bannon (00:23:50):

Well, why would anybody else know what it was? That's my question.

RC1 00:23:54):

Well, because everybody needs to access it if they're doing certain protocols in that section.

Brenda Bannon (00:24:00):

Okay. So I think I'm going to get the same answer from you, but bear with me please. Why wouldn't you have at least just spent a day with the new hire RC1 to acclimate her to the red binder and just walk her through some of the protocols that there were questions about?

RC1 (00:24:23):

It's not part of my job to do that, my own job to worry about.

RC1 (00:24:28):

Okay. Alright.

Brenda Bannon (00:24:42):

Do you remember who you provided your fall 2022 complaint letter to?

RC1 (00:24:51):

Maybe Julie Demuth.

Brenda Bannon (00:24:53):

Okay. Do you know why you selected her?

RC1 (00:24:56):
Because she was the budget director and somebody outside of HR that I wanted to speak with because the executive's office when I spoke with them, didn't entertain us.

Brenda Bannon (00:25:12):
When did you speak with the executive's office?

RC1 (00:25:15):
I cannot remember the date,

Brenda Bannon (00:25:17):
The approximate timeframe.

RC1 (00:25:21):
I couldn't, couldn't even tell you that honestly.

Brenda Bannon (00:25:24):
What did you mean did not entertain us?

RC1 (00:25:28):
I set a meeting with RC1 to go over some of the issues that we were having in the office with RC1 and I was told that you need to stop right now until I contact legal counsel and I was dismissed.

Brenda Bannon (00:25:48):
So you tried to set a meeting but it didn't happen?

RC1 (00:25:51):
I did set a meeting and halfway through it I was stopped.

Brenda Bannon (00:25:54):
By whom?

RC1 (00:25:56):
By RC1

Brenda Bannon (00:25:58):
And what do you mean? Something about legal counsel?

RC1 (00:26:01):
That's what he said. He's like, we're going to stop this conversation now until I can get legal counsel involved. And that's the last I heard of that.

Brenda Bannon (00:26:08):

Okay. What were you talking about at that time?

RC1 (00:26:11):

Just the history of that, or not the history, but the actions that are happening in that office while I was there and the abuse and the actions of RC1 .

RC1 (00:26:26):

Okay.

Brenda Bannon (00:26:35):

And so I'm guessing, but I don't know this to be true, so tell me, was that sometime between October 22 and June 23? In other words, sometime between providing your complete memo to Julie and you leaving?

RC1 (00:26:51):

Yeah. I'm assuming that's the correct time. Yeah.

Brenda Bannon (00:26:54):

Okay. Did you ever hear from the executive office again?

RC1 (00:27:02):

Never.

Brenda Bannon (00:27:03):

Did you provide any documents to the executive's office?

RC1 00:27:07):

Not at that time, no. I just set a meeting

Brenda Bannon (00:27:09):

At any time.

RC1 (00:27:14):

I don't think so.

Brenda Bannon (00:27:16):

Alright, thank you. Let me ask you this, RC1 while you were employed at the clerk's office, did you ever hear any of your coworkers or other employees at the clerk's office make comments about RC1 race?

RC1 (00:27:39):

No.

Brenda Bannon (00:27:41):

Same question regarding RC1 skin color?

RC1 (00:27:48):

No.

Brenda Bannon (00:27:51):

And did you hear any of your coworkers or other employees of the clerk's office talk about wanting to set her up to fail?

RC1 (00:28:00):

No.

Brenda Bannon (00:28:02):

Was it known to you that there were people that were refusing to greet her in the morning, would just not acknowledge her greeting or would look away or would roll their eyes?

RC1 (00:28:13):

No, definitely not.

Brenda Bannon (00:28:17):

Pardon me?

RC1 (00:28:18):

No.

Brenda Bannon (00:28:20):

Didn't come up at all?

RC1 (00:28:22):

No.

Brenda Bannon (00:28:24):

Okay. Did you hear any of your coworkers or employees at the clerk's office talk about wanting to set her up to fail?

RC1 (00:28:39):

No.

Brenda Bannon (00:28:41):

Was there a coordinated effort amongst the management team yourself, RC1 to leave the clerk's office in order to set her up to fail?

RC1 (00:28:53):
No self-preservation was the reason we left.

Brenda Bannon (00:28:57):
Okay.

RC1 (00:28:59):
None of us wanted to leave.

Brenda Bannon (00:29:02):
Alright.

RC1 (00:29:03):
I'm speaking on that generality, but I didn't ever want to leave that office. I was going to retire from that office.

Brenda Bannon (00:29:10):
Why?

RC1 (00:29:11):
It was the last resort.

Brenda Bannon (00:29:14):
Why did you want to be there until retirement?

RC1 (00:29:16):
I loved it there.

Brenda Bannon (00:29:17):
Okay.

RC1 (00:29:19):
My job there, I love.

Brenda Bannon (00:29:21):
What were the reasons you loved it?

RC1 (00:29:23):
I love the team. I love the leadership team. I love the staff. I love the job itself and the work that was being done. I

RC1 (00:29:32):
Okay.

Brenda Bannon (00:29:38):

It is been suggested. So tell me your to this, it's been suggested that under Kevin Stocks there really wasn't much oversight or accountability or direction. What is your statement in response to that?

RC1 (00:29:57):

I would disagree with that. Kevin was probably the most approachable and intelligent person to work for, and that's probably well known throughout the county. Well respected As far as the accountability, I mean, you can check every audit that I've had in the past before I left and everything was spot on and accounted for with all procedures. I've never had a finding on any audit. He held high standards for me to make sure that we succeed. And it shows I never had an issue. I made sure that everything was in place and ran perfectly.

Brenda Bannon (00:30:36):

Did you bring the 2023 2024 audit findings to Mr. Stock's attention when you learned about them?

RC1 (00:30:48):

Me, no.

Brenda Bannon (00:30:51):

Do you know who did I

RC1 (00:30:52):

Do not.

Brenda Bannon (00:30:54):

You've talked to him about that though, right?

RC1 (00:30:57):

Yes.

Brenda Bannon (00:30:58):

Okay. It's my understanding that some of the audit findings involved issues or in action that occurred in 21 and 22. Is that your understanding?

RC1 (00:31:15):

No.

Brenda Bannon (00:31:17):

What's your understanding?

RC1 (00:31:19):

My understanding is some of the questions that I believe I saw in there, the staff in the clerk's office weren't able to answer correctly. If they don't know how to ask the correct questions, they will get a finding on them. The knowledge base was not there.

RC1 (00:31:40):
Okay.

Brenda Bannon (00:31:53):
It's been suggested that before you left your office, RC1 that you intentionally sort of wiped out helpful information, like cleaned up your emails, cleaned up your files, your actual electronic files. So if someone were to try to problem solve and look for information that would be helpful to doing the job that you were doing, it would be really difficult to do. Is any of that true

RC1 (00:32:26):
And that is false and that is such a defaming thing to say about me because I've never deleted anything from there. I've never took any information. I left everything there as well. I have had public disclosure requests it, they've gone through everything in my files and they didn't see any deleted files or anything. I have been up forth and honest with all of this. There's no reason for anybody to say something like that and that spread through the county and that was not okay with me.

Brenda Bannon (00:32:57):
So tell me what you said about, you've had public disclosure requests and inquiries.

RC1 (00:33:02):
Yes, correct. So I had a public disclosure request by RC1 to essentially go through all my emails, go through my M drive, the N drive, all the electronic files, because I think she was, from what I heard, she was trying to say that I was deleting files and stuff, but that's not the case. I didn't do anything, never would.

Brenda Bannon (00:33:25):
Okay. Did you ever receive a memo or anything regarding their findings?

RC1 (00:33:34):
I'm sorry?

Brenda Bannon (00:33:35):
Did you receive any kind of a memo or anything regarding their findings in that review?

RC1 (00:33:41):
The PDR?

Brenda Bannon (00:33:42):
Yeah.

RC1 (00:33:43):
No, they don't do that. They don't tell me. They just pull it.

Brenda Bannon (00:33:50):
How did you know there was a public disclosure request?

RC1 (00:33:53):
I've heard that from a staff member in there and you can do a public disclosure request on that as well. So we did to see. So I saw who pulled it on me.

Brenda Bannon (00:34:07):
So you did your own request?

RC1 (00:34:10):
Yeah. Well, I had somebody do it for me,

Brenda Bannon (00:34:12):
So

RC1 (00:34:12):
I didn't have any issue in it. Yeah.

Brenda Bannon (00:34:14):
Okay. So no one ever circled back to you and talk to you about the results?

RC1 (00:34:20):
Yeah, because there's nothing in there to find. I didn't do anything wrong. I never said anything wrong. If there was something in those, they would've for sure taken it to somebody to try to nail me on the wall, but I am just going to work and doing my job.

RC1 00:34:36):
Okay.

Brenda Bannon (00:34:50):
In writing the August 23 letter on behalf of RC1 , were you trying to create an obstacle for RC1 ?

RC1 (00:34:59):
Absolutely not. I was trying to protect an innocent employee that has done a great job and was holding that office afloat and being abused for no reason.

Brenda Bannon (00:35:08):
Did you know RC1 just sort of stopped, sort of refused to continue doing the finance work,

RC1 (00:35:16):

Acting? She was in an acting role. She was from a different department, and if she was being treated as poorly like she was being, there was no reason or benefit for her to continue to help that situation. She was treated very poorly. She was forced to do something she didn't want to do, and she brought it to the attention of RC1 and nothing was done.

Brenda Bannon (00:35:39):

What is your understanding as to quote treated poorly?

RC1 (00:35:43):

She was talked to horrible. You'll have to talk and refer to the complaint that she filed. I obviously received a version of that or a story of that for help. She reached out to me for help as a mentor.

Brenda Bannon (00:36:02):

Alright.

RC1 (00:36:06):

But you'll see in the complaint that she filed with the grievance.

Brenda Bannon (00:36:11):

Okay.

RC1 (00:36:12):

Which is an upheld.

Brenda Bannon (00:36:17):

So is there anything that you've seen along the way that made you think that Kevin stop was trying to orchestrate RC1 failure?

RC1 00:36:26):

No.

Brenda Bannon (00:36:27):

And is there anything that you've done along the way that attempted to orchestrate RC1 failure?

RC1 (00:36:35):

Absolutely not.

Brenda Bannon (00:36:37):

Have you seen RC1 do anything to try to orchestrate RC1 failure?

RC1 (00:36:44):

Absolutely not.

Brenda Bannon (00:36:46):
Do you still keep in touch with RC1 ?

RC1 (00:36:49):
I've spoken to probably one time in the last few months, maybe three months, just the passing in the hallway here.

Brenda Bannon (00:36:55):
Okay. And before his rehire, did you keep in touch with him?

RC1 (00:37:01):
About the same, just once every three months or so

Brenda Bannon (00:37:04):
Going out for coffee or beer or something like that. I

RC1 (00:37:07):
Haven't seen him in person for a long time.

Brenda Bannon (00:37:08):
So after he left in 22, how did you stay in contact with him?

RC1 (00:37:14):
Just text message.

Brenda Bannon (00:37:15):
Oh,

RC1 (00:37:16):
See how he's doing and things of that nature. Talk about our football team, make fun of our football team. That's probably it.

Brenda Bannon (00:37:23):
Okay. Did you know that Kevin was, or excuse me, that RC1 was looking to get rehired before he was hired?

RC1 (00:37:33):
No, I didn't. After, I guess. Well, that's before he was hired. So what happened is I received an email from the prosecuting attorney's office asking for me to complete essentially a letter or a questionnaire on him before they hired him. So I guess it would be pre-hire, but not before application process? No. I found out after application interview.

Brenda Bannon (00:38:00):

What kind of questionnaire was it?

RC1 (00:38:03):

It was a questionnaire about RC1 and asking me just generalized questions about him and his skillset and his demeanor and things of that nature.

Brenda Bannon (00:38:13):

Okay. And did you give positive or impartial or?

RC1 (00:38:20):

Well, I gave obviously impartial, excuse me. The light turned off I gave, I was impartial. I was honest, right, because I'm just going to be honest. So I gave him an honest review.

Brenda Bannon (00:38:34):

Okay. I guess I meant to say, did you give a positive review or did you give a sort of ho hum in between non-committal review or a negative review? No.

RC1 (00:38:48):

Yeah, so I think all the questions I answered except for a couple or very high praise. He was a great worker for many years. He knows his stuff and he really cares about his job.

Brenda Bannon (00:39:02):

So there was a lot of negative, I have to say, a lot of negative comments about him in the workplace. In the year, year after RC1 was hired by a lot of different employees, so you weren't of the opinion that he was sort of acting out during that window of time and sort of misbehaving?

RC1 (00:39:23):

Misbehaving? No, I mean, RC1 is just an innocent, he's just like an innocent guy. He doesn't really do much. He just came in sometimes. One of his things was he was gung-ho. He was really a go-getter, so sometimes he might go a little too far, but he was as far as caring and he was fine.

Brenda Bannon (00:39:45):

Okay. Were you interviewed as a part of those personnel investigations in 2022? Do you remember?

RC1 (00:39:53):

I think I might have been. I don't remember.

Brenda Bannon (00:39:55):

Do you think you said those similar things back then?

RC1 (00:39:58):

Probably. Probably same thing, he's a great worker. Probably like you said, he sometimes gets gung ho and gets a little overboard on some things. He just likes to be in charge. But other than that, no. I think I would probably say the same thing today, all these years later.

Brenda Bannon (00:40:22):

Did RC1 share with you his deep disappointment for not getting RC1 ?

RC1 (00:40:30):

No.

Brenda Bannon (00:40:32):

You didn't discuss that?

RC1 (00:40:34):

No. I don't think he told me anything more about getting a RC1 at all. Just like, Hey, it is what it is.

Brenda Bannon (00:40:47):

Did you talk to RC1 about his desire to apply for RC1 and hopefully be RC1 ?

RC1 00:40:58):

Oh yeah, of course. Yeah. He applied for that job and he was hoping to get it. Obviously

Brenda Bannon (00:41:05):

He told you that?

RC1 (00:41:06):

Oh yeah, yeah, yeah. Before, yep.

RC1 (00:41:09):

Okay.

Brenda Bannon (00:41:33):

Did RC1 ever make comments to you about Charlotte, excuse me, RC1 race or her skin color?

RC1 (00:41:43):

No.

Brenda Bannon (00:41:44):

Ever.

RC1 (00:41:45):
Ever.

Brenda Bannon (00:41:46):
Did he ever make a statement that she got hired because she was black?

RC1 (00:41:50):
Never once to me.

Brenda Bannon (00:41:51):
Did you hear any other employees at the clerk's office ever make that statement?

RC1 (00:41:56):
No.

Brenda Bannon (00:41:57):
Did you ever make that statement? God

RC1 (00:41:59):
No.

Brenda Bannon (00:42:01):
Did you ever hear RC1 say, I didn't think I was going to like her because she's black, but I sort of changed my mind. No. All right. You had a really sharp reaction to that one, so no,

RC1 (00:42:12):
That seems stupid. Yeah.

Brenda Bannon (00:42:14):
Okay. Are you able to share with me what you consider to be the worst experience you had with regard to RC1 being your boss at the clerk's office?

RC1 (00:42:58):
Like I said before, I legitimately had trauma, so I blocked those things out. I'm sure I've written down things in my list there that would stick out to me. The trauma, obviously her being very aggressive and loud and on a tyrant, a Tyra, excuse me. And then also I watched her lie and manipulate and I don't like that.

Brenda Bannon (00:43:26):
Okay. Did any lies or manipulation impact your work?

RC1 (00:43:34):

It impacted our office just in the fact of that we're not holding our standards of being public servants and telling the truth.

RC1 (00:43:47):
Okay. All right.

Brenda Bannon (00:44:30):
MB and RC1 occasionally texting and you remain friends with Kevin Stock. Are there any other folks at the clerk's office that you remain friendly with?

RC1 (00:44:43):
Yeah, I remain became friendly with a lot of 'em afterwards. I just shared trauma. So yeah, I keep in touch with and as well, even people that I'm not friends with, I still try to keep in touch with not everybody, but with certain people to make sure they're doing okay.

Brenda Bannon (00:44:59):
And who would that be?

RC1 (00:45:02):
I talk with RC1 and I talk with RC1 probably once a week maybe. Maybe once every two weeks.

Brenda Bannon (00:45:09):
And we're talking just for the record, RC1 and RC1

RC1 (00:45:13):
Correct? Yeah.

Brenda Bannon (00:45:16):
Anybody else?

RC1 (00:45:18):
Yeah, I talked to, well, RC1 now works in our office, so I talk to her quite often. She works in this office, so without saying, I have to talk to her.

Brenda Bannon (00:45:32):
Anybody else?

RC1 (00:45:37):
Not that, I mean, if you had names, I would say yes or no, but I can't think of anything off the top of my head right now.

Brenda Bannon (00:45:43):
Okay. RC1 is it RC1

RC1 (00:45:49):
Yeah, not too, I mean, if I see her in passing, I talk to her, but I don't reach out or I don't talk to her like that.

Brenda Bannon (00:45:55):
Is it Melinda or RC1

RC1 (00:45:57):
RC1

Brenda Bannon (00:45:58):
Okay.

RC1 (00:46:00):
But I know her and in passing I see her, but I don't hang out with her or anything, but just a fine acquaintance.

Brenda Bannon (00:46:08):
RC1 I think he's a supervisor down there.

RC1 (00:46:11):
Yep.

Brenda Bannon (00:46:12):
Do you keep in touch with him

RC1 (00:46:14):
Just since passing? I probably talked to him once every few months, just in passing in the building. I spoke with him probably last week when we ran into each other, walking around the building, but that was it.

Brenda Bannon (00:46:24):
Okay. Do you know who RC1 current RC1 is?

RC1 (00:46:31):
I think her name's RC1

Brenda Bannon (00:46:33):
RC1

RC1 (00:46:34):
I think so.

Brenda Bannon (00:46:34):

Do you ever have reason to talk to her?

RC1 (00:46:37):

Never.

Brenda Bannon (00:46:38):

Okay. Anybody else now that I've asked you of a number of names that you can tell me? Yeah. I still keep in touch or text or talk to them. Him or her.

RC1 :46:51):

I mean, not off the top of my head, no, but I'm sure a few names them. I try to keep in touch with a lot of people to make sure they're doing well.

RC1 (00:46:59):

Okay.

RC1 (00:47:00):

As a friendly person? Yep.

Brenda Bannon (00:47:02):

Alright. Do you know about when RC1 was initially hired, whether or not Kevin Stock had cleaned up his office and made it sort of welcoming to her when she joined? Do you know anything about that?

RC1 (00:47:19):

Yeah, I mean, it looked fine to me, but she came in and she wanted all new furniture and everything, so she just got all new furniture.

Brenda Bannon (00:47:29):

What about in the beginning? Did she have to get it? Was it dirty?

RC1 (00:47:34):

Not that I remember. I remember helping him clean it out.

Brenda Bannon (00:47:37):

What about his fridge? Did it have mold and icky food in there?

RC1 :47:42):

Not that I know of, no.

Brenda Bannon (00:47:44):

You helped him clean it out?

RC1 (00:47:46):
Not the fridge, but I mean, we had stuff in there once in a while. Never noticed anything out of place or anything.

Brenda Bannon (00:47:52):
But you helped Kevin clean out his office?

RC1 (00:47:55):
Yeah, I carried a few things out for him. Yep.

Brenda Bannon (00:48:04):
What about cleaning it?

RC1 (00:48:08):
Like a wipe?

Brenda Bannon (00:48:09):
Yeah.

RC1 (00:48:10):
Oh, I didn't wipe anything down, no.

Brenda Bannon (00:48:12):
Okay. Do you recall whether or not RC1 made any comments to you about the condition of her office when she first joined?

RC1 (00:48:25):
She only complained about what kind of furniture was in there, and then we had to buy new furniture.

Brenda Bannon (00:48:34):
Okay. Did the new furniture come pretty quickly?

RC1 (00:48:39):
Pretty quickly, yeah.

Brenda Bannon (00:48:40):
Like in the first couple of months or,

RC1 (00:48:42):
Yeah, I'm sure it's a couple months. Yeah, I've to go back to, if I had access to those files, I could get 'em, but it was pretty post Ha. Yeah.

Brenda Bannon (00:48:59):

Was there any kind of a welcoming gathering for RC1 when she came on board as RC1 ?

RC1 (00:49:06):
We tried to set up a welcoming thing, but she didn't want to meet with any of us. She wanted to just go in normal.

Brenda Bannon (00:49:13):
What do you mean?

RC1 (00:49:16):
We reached out to RC1 after she was named RC1 and one of to welcome her as a management team and answer any questions and she declined.

Brenda Bannon (00:49:26):
So who reached out to her?

RC1 (00:49:28):
That would've been RC1 and RC1 .

Brenda Bannon (00:49:31):
Was that in person? You mean

RC1 (00:49:34):
Over email or phone or text? I don't remember.

Brenda Bannon (00:49:38):
Okay. Was there a gift given to RC1 when she was hired? Do you know?

RC1 (00:49:45):
I don't recall. Okay. I know that me, RC1 and RC1 took her out to lunch within the first week and a few times.

Brenda Bannon (00:49:59):
How did that go?

RC1 (00:50:02):
It was okay. It's fine. We were just meeting each other and we were excited to get somebody in there, so we didn't know anything about it. So we were honestly excited to get somebody in there. We were hoping it was going to be great.

Brenda Bannon (00:50:17):
Okay.

RC1 (00:50:20):
Very welcoming.

Brenda Bannon (00:50:23):
What was your first sense that things weren't going to go well?

RC1 (00:50:28):
Gosh, I think I noticed some signs when it wasn't towards me at first, but it was towards the other staff or the other managers and how she was talking to them and treating them that I was like, okay. I started picking up on things and then it spread. I believe the first person to get the wrath was RC1 in a meeting, and I can't, I'm trying to pull it back, but that's what I remember. RC1 got it. The worst.

Brenda Bannon (00:51:03):
Did you use the word berating when you were talking about her manner of talking to Steph?

RC1 (00:51:08):
Yeah.

Brenda Bannon (00:51:09):
What do you mean by that?

RC1 (00:51:11):
She would be very loud in essentially inflating herself with deflating you and you and things of that nature.

Brenda Bannon (00:51:26):
Okay. And what was the situation with RC1 got the first, you started to say

RC1 (00:51:31):
The first one? Gosh, I don't know. I've seen it a few times. I can't remember what the first one was. I don't even know what it was.

RC1 (00:51:40):
Okay. All right.

Brenda Bannon (00:51:57):
So I want to return to this question just to make sure that I'm not missing something. So is it true that based on your current memory of things that not a single person of the 50 plus staff at the clerk's office in your presence made any comments about RC1 race?

RC1 (00:52:23):
No.

Brenda Bannon (00:52:25):

Ever?

RC1 (00:52:26):

Not to me.

Brenda Bannon (00:52:28):

Alright. What about second or third hand that came to you as a rumor?

RC1 (00:52:34):

I don't recall that ever happening. Honestly, I maybe I'm not the right person for them to talk to you about that. I don't care. So I don't entertain that stuff, so it's not an issue for me.

Brenda Bannon (00:52:48):

So I'll put it to you directly. Did it bother you when RC1 was hired as an outsider from Texas and she was black?

RC1 (00:53:00):

Absolutely not. It bothered me the way she treated me.

RC1 (00:53:06):

Okay.

Brenda Bannon (00:53:22):

I understand that you went to the executive's. Did you ever go to the HR Labor Management group to talk about your concerns of treatment in the workplace?

RC1 (00:53:36):

Yeah, I spoke with the HR department,

Brenda Bannon (00:53:40):

Who,

RC1 (00:53:41):

Gosh, maybe RC1, I want to say.

Brenda Bannon (00:53:49):

Okay. Anybody

RC1 (00:53:50):

Else? There's been a few. I am sure there's been a few. I can't remember them all though. For some reason, RC1 the only one that stood out because she listened.

Brenda Bannon (00:54:01):

Okay. Did she give you any advice?

RC1 (00:54:06):

They gave us the EAP and said they would look into it and they didn't, or they did and they didn't do anything about it.

RC1 (00:54:17):

Okay.

Brenda Bannon (00:54:29):

Okay. So we're coming up on an hour. We've covered a lot of ground. RC1 as you're sitting there with much more knowledge of your employer as a county and your work group in finance than me, and certainly much more familiar with the Clerk's office, is there anything that you think that I should know that you're in possession of? I just haven't gotten around to asking the right question.

RC1 00:54:55):

Not that I know of. I don't know exactly what we're looking for, so I don't know what I can provide you.

Brenda Bannon (00:55:02):

Okay. And we've talked about a number of different names. Are there any other names that you think would be helpful to my understanding of that work environment at the Clerk's office?

RC1 (00:55:14):

I mean, there's been tons of people that have come and gone from that place, but I don't talk to them anymore. I mean, once in Blue Moon maybe. Oh, I wonder how that person's doing

RC1 (00:55:25):

And

RC1 (00:55:25):

Then I'll send a, Hey, just checking on you, see how you're doing. RC1 RC1 her name was RC1 and she was put through very much a rough spot as well. Very abused. She might be somebody Dory, Lee Reyes,

Brenda Bannon (00:55:52):

That's her name.

RC1 (00:55:53):

Dory Lee.

Brenda Bannon (00:55:55):

Well, Nicole, what's RC1 last name?

RC1 (00:55:58):

RC1 She might be a good one too. Yep.

Brenda Bannon (00:56:03):

Well, who's Dora Lee?

RC1 (00:56:05):

Dora Lee worked in the clerk's office. She retired early because of nonsense.

RC1 (00:56:27):

Okay.

Brenda Bannon (00:56:31):

Alright. Anything else

RC1 (00:56:36):

For me? I'm not sure. You're more than welcome to ask me anything that you need or want from me. I don't know what we're looking for, so I can't provide anything that I don't know. But I'm here to answer any questions that you need.

RC1 ce (00:56:49):

Alright.

Brenda Bannon (00:56:57):

Was there any reason that you're aware of that employees in the clerk's office wouldn't want RC1 to succeed?

RC1 (00:57:10):

No. I mean, that would be backwards. I think everybody wanted her to succeed because it makes everybody's life better.

Brenda Bannon (00:57:18):

Okay.

RC1 (00:57:19):

We worked hard as management team to make sure she could be successful, but couldn't do it.

Brenda Bannon (00:57:28):

Did it seem, from where you sat, I know your role was finance and not the kind of day-to-day operations of the clerk's office, but did it seem like folks in the clerk's office were sort of opposed to change, opposed to getting new software, new processes, cross training, upgrades, things like that? People didn't complain in your presence?

RC1 (00:57:57):

That office has a history of being really innovative and it was an industry leader for years on programmings and things of that nature. I mean, the program links that we were the first to have is cutting edge. And so that office has always been so good at accepting new programs and changes.

Brenda Bannon (00:58:20):

Well, it sounds like, for example, paper files were not converted to electronic files historically. That seemed to be a little behind.

RC1 (00:58:31):

No. So for years, I mean, you have a history of the county that's been around for how many years? A hundred years. Electronic filings didn't come into play until 2005 to 10. And so in order to essentially give access to the public of the files that they need, it's prioritized on new cases or current cases that are open that you want to be electronic. The vintage and archival cases don't need to be. They are a one-off. And the amount of money that it would've taken to archive those into the electronic was millions of dollars. So that's something that was on a 20 year project. I don't get it. If you think about financially bank for your buck, it doesn't make sense.

Brenda Bannon (00:59:23):

And it looks like nobody was moving things out of the clerk's office once. The retention schedule was no longer requiring them to be kept, they just kept keeping everything. Is that your understanding?

RC1 (00:59:38):

So as far as finance, we did not. We went through our retention schedule and we were on top of it every year. Never had any issues with that.

Brenda Bannon (00:59:45):

Did you know anything about the rats that were in the storage area?

RC1 (00:59:50):

No, but it's an old building, so I'm sure there's some mice in there. They have mice things all around this building.

Brenda Bannon (00:59:56):

Alright.

RC1 (00:59:58):

They were everywhere. I mean, those building's old. I still work in the building.

Brenda Bannon (01:00:01):

Yeah, I'm sure you knew

RC1 (01:00:03):

About, there's mouse things everywhere. Yeah.

Brenda Bannon (01:00:05):
I'm sure you knew about the title company that was setting up shop in the clerk's office. Of

RC1 (01:00:10):
Course. Yep.

Brenda Bannon (01:00:11):
Yep. All right. So there were areas of places that there could be improvement, it sounds like.

RC1 (01:00:20):
I mean, I guess there's obviously always improvement, right?

Brenda Bannon (01:00:23):
Yeah. Did you hear people complaining about all the changes that were being made

RC1 (01:00:32):
As far as what changes?

Brenda Bannon (01:00:34):
Well, it sounds like RC1 was making change when she came into office. That's not bringing any bells for you.

RC1 01:00:44):
No, I don't think anybody really minds a change. I think if anything, there's change. People are going to say something about it at any office, whether good or bad. I mean, there's always going to be something to be said or questioned. Right. And I think that's healthy. It doesn't mean it's negative.

Brenda Bannon (01:01:03):
Okay. Well, I appreciate you giving me all your time, and I'm sorry, I've brought up things that you've tried not to think about out right now it's 1103. RC1 with your permission, we'll go off the record.

RC1 (01:01:19):
Yes.

Brenda Bannon (01:01:20):
All right. So we're going off the record.

Brenda Bannon (00:00:02):

All right, so we're on the record. According to the computer, it's 1:03 PM and it's January 21st, 2025. I'm meeting remotely with RC1 My name is Brenda Bannon. I'm with the law firm of Ogletree Deacons. RC1 , do I have your permission to record our conversation?

RC1 (00:00:23):

You do.

Brenda Bannon (00:00:24):

Thank you so much. So we are conducting this investigation interview remotely. So I'm in a private workspace with nobody else present to try to protect the confidentiality of this personnel matter and investigation. Are you also in a private space with nobody else present?

RC1 (00:00:42):

I am.

Brenda Bannon (00:00:43):

Thank you so much. So I believe you understand that I've been retained by Pierce County and through the Pierce County prosecuting attorney's office to conduct a workplace investigation. And my role is as a outside impartial fact finder. So ultimately, I report my conclusions to the Pierce County prosecuting attorney's office and Pierce County generally, given that it isn't a large public entity, as you know with regard to my role, I am an attorney, but I am not here to provide legal advice. My role is to collect the evidence, evaluate the evidence, and report the facts back to the Pierce County prosecuting attorney's office. Along the way, you may wonder what's the most important thing for you as a witness in your new role? Your The most important thing is to be as honest and candid and forthcoming with me as possible. And I do remind everybody, or I try to remember to remind everybody, RC1 not to reach out to other witnesses to talk about your testimony or the investigation, or to encourage or pressure anyone to testify in a particular way. I know that you understand that it's important to the integrity of the investigation to protect it, and I do what I can to protect everybody's memories, to keep them their own. I can't tell you not to talk to people, but I can ask you to partner with me to try to protect the integrity of the investigation as a whole.

(00:02:33):

And that being said, you understand that Pierce County as a public entity does have public disclosure requirements that it has to comply with. If anyone were to ask for any portion of my investigation while it is pending, I would refer that ask to a legal advisor, it would be somebody else's decision. But I can tell you ordinarily everything stays with me while the investigation is pending. I think you understand that. So do you have any questions of me before we proceed?

RC1 (00:03:06):

No.

Brenda Bannon (00:03:06):

Okay. Thank you so much. And again, if you do have questions along the way, feel free to ask. So I try to be efficient with everyone's time and learn what I can about folks before I meet with them. So I see that you got your RC1 , is that correct?

RC1 (00:03:24):
That's correct.

Brenda Bannon (00:03:25):
Okay. And then you had a series of roles before you joined Pierce County and you joined Pierce County in 2017, is that right?

RC1 (00:03:37):
Technically RC1 I believe. But effectively with the new administration that took office RC1 .

Brenda Bannon (00:03:46):
Okay, perfect. And just in sequence, and tell me if I'm missing anything, you started as a RC1 then you were RC1 , and then you were RC1 from 21 through 25. Does that sound about right?

RC1 (00:04:03):
That's correct.

Brenda Bannon (00:04:04):
Okay, great. Anything else about your employment at Pierce County you think that is important for me to understand as I try to assess what you're telling me and your information base, or I'm just missing something contextually that you think would be helpful to me as I move forward in this investigation?

RC1 (00:04:24):
Yeah, nothing at this point. As I mentioned before, just I was on the transition team for a short period of time, but I don't think that's relevant probably to your investigation here.

Brenda Bannon (00:04:33):
And you understand that I'm tasked with evaluating concerns in a complaint that was raised by the current RC1 correct? RC1 . Is that your understanding?

RC1 (00:04:46):
Yes, that's my understanding.

Brenda Bannon (00:04:47):
Okay, perfect. Give me a moment please. I am working remotely. My dog wants to join the Meeting.

RC1 (00:04:52):
Of course. Yeah, you can do what you got to do.

Brenda Bannon (00:05:04):
Thank you.

RC1 (00:05:06):
Would you please state for the record the breed of dog that you have?

Brenda Bannon (00:05:09):
It is a medium sized Labradoodle butter scotch in color.

RC1 (00:05:14):
Oh, okay. Yeah, I got a corgi at home who's often hassling me.

Brenda Bannon (00:05:19):
Oh, there you go.

RC1 (00:05:20):
Go.

Brenda Bannon (00:05:21):
You understand?

RC1 (00:05:22):
Yeah.

Brenda Bannon (00:05:23):
Alright. So can you tell me first in the window of time from 21 2021 through the end of your career? 2025, who your boss was?

RC1 (00:05:39):
RC1

Brenda Bannon (00:05:40):
Okay. And were you RC1 boss during that window of time?

RC1 (00:05:46):
No.

Brenda Bannon (00:05:47):
Okay. Can you explain that employment relationship?

RC1 (00:05:51):
Yeah. So in the office there were a series of reorganizations, but ultimately the time period that you're referencing, RC1 was the RC1 for the

county. He had only a few direct reports, one of which was RC1, who was his RC1 another of which was his RC1. And I would be the third, which was the RC1.

Brenda Bannon (00:06:21):

Okay. And on an org chart, does it look like you're above RC1 or do you know?

RC1 (00:06:26):

It shouldn't? No, the org chart would show me basically was supervisory responsibility over the office itself, the RC1 exclusive of RC1 and the RC1 that I referenced

Brenda Bannon (00:06:41):

Previously. So this is going back a bit of time, so do your best to answer this question please. Do you recall when you first met RC1?

RC1 (00:06:54):

I do recall. I was, I believe even chairing, I'm not certain on that it's involved possibly leading the executive, the replacement. When RC1 retired, we conducted a national search and I met RC1 when she was interviewing in that process.

Brenda Bannon (00:07:17):

Okay. So you were on a interview panel?

RC1 (00:07:24):

Yeah, we had a small panel that was evaluating the finalists for that position and then made recommendations to the executive for his ultimate selection.

Brenda Bannon (00:07:35):

Okay. And were you involved in making any recommendations?

RC1 (00:07:40):

Yes.

Brenda Bannon (00:07:41):

What was your recommendation?

RC1 (00:07:43):

I recommended that RC1 be selected as RC1.

Brenda Bannon (00:07:47):

Okay, perfect. And then after her hire, in your role as RC1, did you have any routine meetings with RC1?

RC1 (00:08:04):

I did not have say standing meetings with RC1 directly, but I was involved in various meetings in which she was a part. For instance, we would have executive cabinet meetings where all the department heads would be present and I would be present at that meeting. RC1 and I also participated on a, I think it was monthly diversity, equity and inclusion work group that ran, I think for the duration of the time that you're investigating.

Brenda Bannon (00:08:42):

Okay. Was that particular work group? There might be another name that I've seen.

RC1 (00:08:51):

Yeah, SOCC, the Strategic Oversight and Coordinating Committee.

Brenda Bannon (00:08:54):

That's it. Strategic oversight? Yep.

RC1 (00:08:56):

Yep.

Brenda Bannon (00:08:56):

All right. And that was monthly,

RC1 (00:08:59):

I believe? That's correct.

Brenda Bannon (00:09:02):

All right. Thank you. Between, I'm going to try to do this in tiers first year, next year after that. So the first year, December 21 through December 22. And just for context to remind you, it's my understanding that RC1 was formally hired on RC1 in case that helps. Okay. So from 12/21 through 12/22, in addition to the executive cabinet meetings and the DEI work group committee that you just referenced, any other interactions with RC1 that stand out at all that come to mind that may be relevant to this investigation?

RC1 (00:09:54):

Nothing that stands out. I'm sure I had some contact on various issues, and primarily that would be at the suggestion of RC1 who liked me to be involved in various items, even though I didn't have direct responsibility or accountability over them. But I can't say specifically what those would've been in that time period.

Brenda Bannon (00:10:18):

Sure. Alright. And then the following year, December 22 to December 23, same question. Anything stands out in addition to the routine executive cabinet meetings and that DEI work group that you mentioned?

RC1 (00:10:39):

Nothing that stands out. It's all kind of a blur to me, to be honest. So it's helpful that you reminded me RC1 was the hire date because yeah, distinguishing amongst the years is challenging for me at this stage. But yeah, nothing stands out in terms of my interactions during what I think would be that time period that you're asking me about.

Brenda Bannon (00:11:01):

And then this last year, right? Go to the end of 24. Anything that stands out

RC1 (00:11:08):

Last year? Yeah, I think it's in the last year. It may have, I think it was in the last year, but you probably will have better knowledge of the actual time period because the thing that stands out to me was one particular meeting that I was present for, it was that SOCC committee meeting where RC1 raised issues related to some treatment that she had experienced in the past from one of her subordinates.

RC1 (00:11:43):

Okay, thank you. So

Brenda Bannon (00:12:01):

…I keep, my notes are organized. Okay. So tell me about that DEI committee meeting, the strategic oversight committee meeting that you just referenced approximately when last year did it happen? And just really go ahead and tell me everything you remember.

RC1 (00:12:22):

Yeah, and that's a big challenge because I don't remember a lot of the details or facts more than the maybe conclusions I drew. And what happened next at the meeting, there were a number of folks, sorry, Brenda, were you going to

Brenda Bannon (00:12:40):

Say something? Well, you're actually starting with what I was just going to say start at the meeting.

RC1 (00:12:44):

Yeah. So a number of folks routinely present in that meeting, and I can't remember specifically who was all in attendance at the meeting, but it included some other department heads. For instance, Heather, RC1, were routine attendees. RC1 routinely attended.

Brenda Bannon (00:13:05):

The first two that you mentioned. I couldn't quite hear,

RC1 (00:13:07):

Sorry. Heather Moss, who was our Director of Human Services, RC1, RC1 RC1. We also had folks like myself and one other from the executive office who was Sarah Colleen Esh, senior counsel for travel relations. She may have been present at the meeting as well. There are a whole bunch of folks, probably 10, maybe

(00:13:42):

Just paper [?] from the courts, just, anyway, so at that meeting, and I'm trying to recall what prompted the commentary from RC1 I don't recall specifically, but I do remember at one **point she started to explain something along the lines of, you folks don't know what it's like when, not an exact quote by any stretch, but that was the lead up to let me tell you about my experience. And she specifically said that it was something along the lines of, you don't know what it's like when somebody tells you they don't like working with you because you're black, something approximating that.** At which point I sat up since that was the first time I had heard such an allegation and started paying attention at that stage very closely. But I can't say or recall exactly the words that were used, et cetera, at that meeting, but clearly it made an impact on the folks who were present. Okay.

RC1 (00:14:57):
But

RC1 (00:14:57):
I can't recall a specific date. You probably, maybe, I don't know how far you are in your investigation, but at some point you'll, I think, be able to identify the specific meeting, which could help construct the timeline.

(00:15:08):

Brenda Bannon (00:15:15):
Sure. So if you could try to dig down just a little deeper and tell me emotional content, what else may have been said around those words? Filling in as much as you do remember?

RC1 (00:15:28):
Yeah, emotional content or impact. It was emotionally stated. IE, she was, I believe, crying at the time and visibly troubled by what she was relating. And folks in the meeting were very supportive of her in that. Also shared concerns, not knowing the specifics, but very much, I mean, it's a worker that's charged with improving inclusivity. And so I think as you would imagine, the folks who are on that work group believe in that mission very strongly and were very concerned by the situation that was being recounted.

Brenda Bannon (00:16:25):
Okay. And did RC1 state anything else regarding who may have said these statements to her, or any context of when this was stated to her?

RC1 (00:16:43):
I don't know that she did within the meeting, and this is where I referenced earlier, I might struggle to distinguish between the facts and my conclusions or what **I subsequently learned, but I understand it to be a reference to RC1 ,** who was her RC1 **, I believe, when she joined the county, and that this was an incident that occurred shortly after her joining the county.**

Brenda Bannon (00:17:13):

Okay. And did you have any sense at the meeting whether, I mean, you described this was the first time you'd heard this, but did you have any sense at the meeting whether or not RC1 was letting you know the group, letting the group know that she'd raised this in the past?

RC1 (00:17:37):
I can't recall.

Brenda Bannon (00:17:50):
What's your thought in that regard?

RC1 (00:17:54):
I mean, I don't recall whether she shared it at that group meeting, but I do know that this was an issue that had been investigated, that I subsequently found that out, that the HR team had investigated the conflict between her and RC1. And I think trying to make sure I'm relating what I actually know versus what I'm imagining, **but I think at the time I knew of workplace conflict within that office and that RC1 was at the center of that, but I did not know were the specific allegations that it was race-based, which was the new information for me that came out at that meeting.**

RC1 (00:18:57):
Okay. Alright.

Brenda Bannon (00:19:08):
So I am going to ask you if I could, RC1 to try to dig down if there's any other particular recollection that's still available to you. I know it's been a little while as far as any actual statements made by RC1 during that DEI work group committee.

RC1 (00:19:39):
Other than what I told you already, I think she proceeded to describe the impact that this had on this situation and just general challenges had on her. But I can't recall specifically what was said in that forum versus information I picked up in other places.

Brenda Bannon (00:20:08):
Okay. Did RC1 explain what the context was as far as when RC1 stated these kinds of statements to her, where they were more specific about when it occurred or what the context of why it was said?

RC1 (00:20:34):
Are you asking at that meeting or just generally? Yes. Okay. **At that meeting, no, I don't believe that she indicated, I'm fairly confident she did not indicate it was RC1 at the time that she didn't say actually, yeah, I'm fairly confident. She didn't say this was RC1 who did this or said this. It was, you all don't know what it's like when, and it was just this example of, and that's when she said, somebody says to you, I don't like you because you're black. Something similar to that. Right. So it was stripped of that context. It was very powerful.**

Brenda Bannon (00:21:18):

Earlier you said, not want to work with me because I'm black. And you also gleaned it was Don't like you because you're black.

RC1 (00:21:29):
I think the latter is the more accurate comment. Wait, I'm not certain, Brenda.

Brenda Bannon (00:21:38):
Okay. I all, so you did tell me that you kind of really got your attention right when RC1 was raising this issue. Did you take some steps in the aftermath of that meeting?

RC1 (00:21:59):
Yeah, I reported it to RC1, possibly Bruce Dammeier as well. But first to RC1 I'm fairly confident in that, which subsequently led to a meeting with RC1. So that would be, I'm trying to recall if it was more than just the three of us in the room having this conversation,

Brenda Bannon (00:22:35):
The three being you, RC1 and

RC1 (00:22:37):
RC1

Brenda Bannon (00:22:39):
Okay. Can you tell me about that meeting?

RC1 (00:22:48):
Yeah, so it's possible. I can't remember if legal counsel was also involved. I can't be certain. But I reported this meeting what happened, and there was a discussion about what should be done in order to follow up on the comments that were made. And I can't remember the substance as much as I remember the outcome of that conversation, which was I was asked with meeting with cons. Let's see. I was told as somebody who was present for it, along with RC1, who was also present for conversation. You might be cutting out here. Brenda, can you still hear me? I can. Okay, cool. To meet with RC1 to follow up and try to find out more information about it and what we could do as an organization to provide support for her.

Brenda Bannon (00:24:05):
Okay. Did that happen?

RC1 (00:24:10):
It did happen. **That was a meeting that occurred. I can't remember the date. Certainly, remember the location. I and RC1 were physically in the same room in the executive office conference room. RC1 participated remotely on the TV that we had in the conference room.**

Brenda Bannon (00:24:42):

I go ahead and fill me in. What happened?

RC1 (00:24:45):

So then I opened the meeting by reminding everyone, basically indicating that we're there to discuss some of the comments that were raised at the SOCC meeting and that I wanted to gather some more information**. I was very concerned about the comments that were made and wanted to see how we could be supportive for** RC1 **And** RC1 **was present on the screen and taking notes at this meeting. And** RC1 **after starting to explain and emotionally also clearly troubled by having to recount some of the story. I remember her stopping the meeting and saying, well, what are we doing here? What's** RC1 **doing here? She taking notes. Is this, I don't remember the words, but the import I took from it was,** RC1 **was concerned that somehow this was a process that might be used against her.** In some ways, that was a threatening process as opposed to a supportive process that she was concerned that HR was creating a document, some sort of documentation in order to take action against her was the conclusion in the sense that I got during the meeting, **which I assured her that was not what we were there for.**

(00:26:26):

And at some point I got emotional too. I was sitting near RC1 and looking at her, **I'm seeing tears rolling down her eyes, so my eyes start to also well up and have tears because I was very empathetic by the emotional impact that she was experiencing**. So I was trying to explain, the reason I'm here is we're trying to figure out what we can do to be as supportive as possible because what she recounted is not an okay situation that no one should have to go through, something like that. And I don't recall exactly how the meeting concluded, but that was one of the major takeaways that I remember this many years later.

Brenda Bannon (00:27:19):

Okay, so it was likely early last year, you think

RC1 (00:27:28):

That's possible? Yeah.

Brenda Bannon (00:27:30):

Okay.

RC1 (00:27:31):

Could be, yeah.

Brenda Bannon (00:27:33):

And you said RC1 took notes. Did you take any notes in the aftermath?

RC1 (00:27:37):

No, I didn't take any

Brenda Bannon (00:27:38):

Notes at any time,

RC1 (00:27:40):

No.

Brenda Bannon (00:27:41):

Did you ever summarize what was said in the SOCC meeting as you were reporting back to RC1 or your boss?

RC1 (00:27:48):

RC1 I don't believe I ever wrote, created a written summary in part because I mean, HR was there and I figured would be taking notes. I didn't tend to take many written notes over the course of my career, even with Pierce County, I tend to try to rely on memory, which years later is not as helpful I suppose. But yeah, at the time I felt it better to be present in the moment.

Brenda Bannon (00:28:18):

Okay. How long did that meeting last? Do you have any sense of that?

RC1 (00:28:27):

So that's an excellent question because that reminds me that there was a period, there was a period of the meeting that we had with RC1 present, and then after RC1 logged off, RC1 **and I continued to talk and I believe that our conversation went on for hours. And at one point she then took me down to her office because she was trying to explain the situation because we were getting,**

Brenda Bannon (00:29:03):

Wait, I'm sorry. Which part of the meeting went on for hours?

RC1 (00:29:06):

Well, so from end to end, from the time that I sat down with RC1 to the time that I stopped speaking with RC1 it probably would've been two plus hours of time with her. Two and a half, maybe The part with RC1 was maybe I had to guess 40 minutes total

(00:29:33):

Where she was there present and documenting, because what RC1 and I discussed was sort of leadership issues more generally in terms of how to get the office to respond to her leadership. And we discussed sort of building momentum through small wins, remember that and what types of things we could do in order to ensure her leadership was respected within that office. So it was not related at that stage to the RC1 incident specifically. **It was just more about a sort of challenges that she's had with I think what she would consider respect for her authority within the office. And so in part because I wanted to understand the RC1 incident, which I now understood happened very shortly after she arrived and she was explaining things about the state of her facilities within the office. I said, let's go see it. And so I walked with her down to her office, and that's where I got a greater appreciation for the RC1 incident because she showed me the physical location of her office and it was sort of isolated from the other parts of the office, kind of private and small windowless, if I recall correctly, other than maybe in the door.**

(00:31:08):

Well, it was interior office is probably the better way to describe it. And she related to me that at this round table that she showed me, that RC1 was sitting there, she basically referred to across the table and she was here on the side of, I can't remember which side of the table she was on the what side? Closest to her desk or the wall, but it is a pretty small space. And she said he pounded his fists on the table. So when she was trying to explain I think what she expected of him or something similar to that RC1 related that RC1 pounded on the table and kind of stood up and leaned over it towards her and said, and yelled essentially, what do you want from me? Something like that. At which point she related to me, she kind of leaned back and attempted to deescalate the situation, but **felt very scared** that this could be somebody who would physically attack her.

(00:32:12):

So she explained to me more about that situation down there. Also took the opportunity to talk to me generally about state of facilities, and I think that was the stage at which I don't think I'm conflating this, but it's possible it could have been a separate meeting where she talked about the needing a access at one of the counters, but it was wrapped up into what sorts of things can we do in order to show her staff that she's somebody who can make things happen and improve their lives and working conditions. And that the way that she's trying to lead is in fact something that's supported by the organization, probably the best way I could describe.

RC1 (00:32:59):

Okay.

Brenda Bannon (00:33:04):

And in the aftermath of that long meeting with first the three of you, and then you had a meeting with RC1, do you recall what the upshot was? Action steps?

RC1 (00:33:16):

Can you repeat that? So you're saying after this meeting happened, what happened after that?

Brenda Bannon (00:33:22):

Were there any action steps?

RC1 (00:33:25):

Yeah, I reported it reported the meeting to RC1. I can't recall if there were others present as well, but I recounted in detail the meeting for RC1 and he took a series of, I think he took a note or two about items that he thought were appropriate to move on in terms of getting the small wins that I talked about, and that he would be meeting with RC1 personally since RC1 was his direct report. I just happened to be the one who was there for the SOCC meeting, and so I got the assignment to have the conversation to find out more. But yeah, I more or less left it with RC1

Brenda Bannon (00:34:25):

Okay. Where does that phraseology come from? The building momentum with small wins?

RC1 (00:34:34):

Where does it come from?

Brenda Bannon (00:34:35):

Yeah.

RC1 (00:34:40):

Well, I suppose it might be traced to an article by John Kotter, maybe there's a change in change management leadership. There's a number of different models about leading change, one of which is an eight step approach that's kind of a semial work by John Kotter. So if I had to guess, it might be within that literature.

RC1 (00:35:07):

Okay. Thanks.

RC1 (00:35:15):

There's a reasonably good book that Harvard Business Review puts together on change management, that there's a series of articles, and that's one of 'em is what I'm recalling.

Brenda Bannon (00:35:26):

Okay. Thanks.

RC1 (00:35:27):

Yep.

Brenda Bannon (00:35:28):

So did you have an opportunity before you left your employment with Pierce County to learn whether or not there were any further steps taken after you left the matter with RC1 or if there was any resolution of the underlying concerns that were expressed by RC1 ?

RC1 (00:35:53):

Yeah, so with respect to the RC1 issue, which I understand, he left employment with Pierce County quite some time ago that not very long following that interaction, he exited the organization. I'm not certain whether that was on his own volition or not. I know that there was some sort of disciplinary action that was taken, and that was something that I subsequently came to understand that human resources was not unanimous on in terms of their kind of findings, a fact, if you will, on what occurred during that, that it was not a universally held opinion within that organization. And I think RC1 actually ended up to what I said, left the organization. But now that I think about it, he might've left and then gotten eventually hired by the Superior Court, I believe is what happened.

Brenda Bannon (00:37:00):

And that's a separate department?

RC1 (00:37:03):

Yes, that's the judicial branch governs that, but not within the scope of the executive branch, but all it's obviously it's still Pierce County at large. Yeah. He was suspended maybe, or I can't remember. It

might've been terminated at one point. I just recalled RC1 having to do a loudermill hearing for that issue. Sure.

RC1 (00:37:33):
Okay.

RC1 (00:37:34):
I do recall that. So with respect to that particular issue, and then generally, I know RC1 met routinely with RC1 and more or less, the best way I describe it is, so we had a situation in the medical examiner's office. I don't know if you encountered this at all in your investigation so far. It's not directly related, but it sort of informs I think some of the decision-making. And in that case, which happened, I believe in 2019 is when it started, there was the leader of the medical examiner's office was challenged by whistleblower report, by his direct subordinate, the Deputy Associate Medical Examiner, is what we called her at the time. And we more or less tried to split the difference while an investigation went underway. IE, okay, well, you come in during these days and you come in during those days and we're more or less figured out.

(00:38:50):
Well, the lesson at least that I concluded from that is that when you're, because it didn't work at all that when you're uncertain that absent kind of clear and convincing evidence of a problem, you support the leader, the department director 100%, unless you have some clear evidence not to do that. And so I only say that in terms of background, because there were a number of anonymous complaints that came in with respect to the working conditions within the clerk's office that were investigated at various times. And the conclusion was always, there weren't facts, it was more a general malaise and no one could allege specific facts that were actionable in some ways. And so our policy was support RC1 100% because we don't have a basis not to, and also layer it in with this concept of empowerment of the department director that you don't want to do something to them. You do something with them in consultation. **And so there are many times in which RC1 is the direct point of contact with RC1 He would relate what he understood her desires to be on various things, and we tried to be as supportive as possible of those desires.**

RC1 (00:40:31):
Okay. Alright.

Brenda Bannon (00:40:41):
Did RC1 ever come to you in the aftermath of that SOCC meeting and the hours that you spent with her to talk about it any further?

RC1 (00:40:54):
I think we had subsequent conversations, but I don't know that we had conversations about the SOC meeting itself again. Right. So it was more like follow ups. I remember she invited me down to look at their exhibit

RC1 (00:41:10):
Room,

RC1 (00:41:11):

Which was in a state of disarray, and we talked about improvement there and what we could do. Yeah, we had subsequent conversations, but I don't know that we had, certainly, we had no other conversations wherein there was any allegations of race-based discrimination, but we had some other office related conversations and maybe some leadership related conversations. But the reason that SOCC meeting stood out so much to me is it was qualitatively different than the other conversations.

RC1 (00:41:50):

Okay. Thank you.

Brenda Bannon (00:41:59):

So I think you've told me the answer to this, but I want to just ask you this question directly. **When was the first time that you heard either firsthand or secondhand or thirdhand that RC1 was raising concerns about racism perpetrated towards her in the clerk's office?**

RC1 (00:42:28):

That SOCC meeting would be the, yeah.

RC1 (00:42:34):

Okay.

Brenda Bannon (00:42:43):

So I'm going to shift gears a little bit, ask some more directive questions. RC1 can you tell me what if you know in Pierce County, what is the Black Collective?

RC1 (00:42:57):

It's unrelated to county government, but it's an association, so I don't actually know that they are legally incorporated any sort of status. They might be a nonprofit, but I understand a group of black community leaders and organizations that meet periodically. I'm not even sure the frequency in order to discuss issues.

Brenda Bannon (00:43:24):

Okay. And did it interface with your role as RC1 there at all?

RC1 (00:43:31):

No. No. Other than I know that the executive, I believe at some point, spoke with the group on probably multiple occasions,

Brenda Bannon (00:43:41):

Bruce

RC1 (00:43:41):

And, yeah, Bruce Dammeier. And it was a group that was engaged with, in some ways on the high profile trial that we were charged with administering. We the county generally when Manny Ellis was killed and the Tacoma officers were on trial,

Brenda Bannon (00:44:06):

In what way were they involved?

RC1 (00:44:10):

I'm not certain you might want to talk to the either emergency management folks or probably emergency management, but I believe it was an information sharing arrangement. Here's what's happening, how one, to help get information about if you want to sit in the room to watch the trial, here's how you would do it. To know that it's live streamed to do education about the process, things of that nature.

Brenda Bannon (00:44:40):

Alright. Would there have been any reason for your boss, RC1 to bring up the Black Collective to RC1 shortly after she was hired?

RC1 (00:44:55):

Potentially. In part that's because of, as I understand, RC1 desire to be more community oriented in the clerk's office. So it was a strategic shift from the transactional focus that the previous RC1 leadership was really focused on. Right. Kind of who your client is, if you will. And under the previous RC1 it was very much, as long as the judges were happy, we're good. That's the role of the clerk's office.

(00:45:31):

RC1 (00:45:31):

RC1 took a more holistic approach and saw customer service not just being the judges, but also being the community writ large, whether that be victims of domestic violence or other disadvantaged populations. And so she wanted to get out in the community in order to educate folks about how these legal processes work and how the clerk's office can support them. So that would be a basis to have that conversation about the various groups that consonants would want to reach out to. Okay.

Brenda Bannon (00:46:09):

Do you have any knowledge about what, if anything, the executive department did to introduce RC1 to her new staff and her new department?

RC1 (00:46:22):

I'm not certain what that transition process looked like. I don't know. I think RC1 would probably be the person to talk to about that if you haven't already spoken with him. Sure.

Brenda Bannon (00:46:38):

Do you have any sort of high level understanding as to how new directors are transitioned into their new role traditionally at Pierce County in the time that you were there?

RC1 (00:46:51):

Yeah. I don't recall there being a formal program or kind of onboarding process that was administered by the executive's office because we've had a number of new leaders come in and I don't recall any sort of standard operating procedures that are administered from our office. You'd have your basic HR stuff, but we didn't facilitate meetings amongst leadership teams. For instance, thinking about when we had a new planning Public works director come in, and that's a very large organization with a lot of moving parts, and I don't believe we did anything there either.

RC1 (00:47:41):

Okay.

Brenda Bannon (00:47:50):

You mentioned, I believe, if I heard you right, that the clerk had brought to your attention when you were sort of having the aftermath discussions regarding the SOCC meeting, that her office was sort of when she first came on board sort of a wreck in some fashion, perhaps dirty or

RC1 (00:48:13):

In need of improvements

(00:48:15):

RC1 00:48:15):

In terms of, she mentioned specific items, and that was the one that stood out to me was she mentioned security at one stage. And I honestly, now I'm thinking back to this actually was predating this quite a bit, so I'm deviating from a little bit here in time. It just triggered a memory that

(00:48:44):

Early on in her tenure, she indicated a need for more, she wanted bulletproof glass, I believe, installed. And I remember going to the clerk's office, and at the time I had no awareness that there was any sort of conflict with RC1 because I walked down there just to see, at one point, I can't remember who told me whether she told me directly or I heard it indirectly about this additional security, and I couldn't remember what the office looked like. So I just went peered around and RC1 approached me and more or less in nicer words, said, what are you doing here? And I said, oh, I understand that you're in need of some more security. And he goes, did RC1 say that? And I said, yeah, that's how I believe so. And he said, oh, no, we don't need more security that just, that places more barriers between us and the clients. And he went on to relate how he thought it was a terrible idea to improve, create more visible security measures, and the way he was talking made me think, oh, this doesn't seem right that he's more or less disagreeing with the new leader who was coming in indicating more security guard, which I would've thought would be welcomed by the office. But anyway, that was part of that triggered

(00:50:09):

RC1 (00:50:09):

In terms of

Brenda Bannon (00:50:10):

Thank you

RC1 (00:50:11):

Conversations around that time. There was an a access issue she wanted the counter lowered at one point. I think also maybe a different button that would allow the door to, I can't remember actually if there was a button that needed to be installed or not, or if that was preexisting,

Brenda Bannon (00:50:32):

A security button.

RC1 (00:50:34):

Yeah.

Brenda Bannon (00:50:35):

Okay.

RC1 (00:50:35):

But then, yeah, facilities wise, I mentioned before this exhibit room that she had me tour that was in a state of disorganization that needed improvement, but yeah. Oh, I think at one point we talked about she wanted to improve the lounge, if you will, where the

Brenda Bannon (00:50:54):

Like break room, the

RC1 (00:50:55):

Staff. Yeah, exactly. Break room items, get a TV for folks and different furniture. That was one of the items that we talked about when we were talking about building the momentum and the small wins. She was very focused on getting chairs, some particular chairs from another location and also some particular cabinets, I think it was, which then RC1 assigned to Facilities Management to achieve. So yeah, there was a whole series of, I'm going to say little items, but items that were then tasked out, but yeah.

Brenda Bannon (00:51:45):

Okay. Did she share with you in the aftermath of the SOCC committee meeting that when she first came on board in RC1 that her office was just kind of filthy, her actual personal office that needed to be

RC1 (00:52:08):

Cleaned? I don't know that that was shared with me. I can't recall if it was.

Brenda Bannon (00:52:15):

Okay. And it doesn't sound like you would've had any knowledge of any requests one way or the other to have Facilities make sure that the new director has a clean office space when she arrives.

RC1 (00:52:28):

Yeah, I wouldn't be involved in that. That would be a RC1 situation, but I mean, honestly, what I can say is generally we in the executive's office don't have that level of awareness of the state of the director's office or facilities.

Brenda Bannon (00:52:45):

I get it. Yeah.

RC1 (00:52:46):

Yeah.

Brenda Bannon (00:52:48):

Only so many things rise to your level,

RC1 (00:52:51):

And so that's why when she came on board, she found a lot of things that were like, what's going on down there? We had a sense that this place is in need of some cleanup, but we didn't know the extent where she found there was a title company that had been operating for free out of an office for an extended period of time, and various things like that where you're like, oh, doesn't makes sense. What's going on here? And I'm sure 30 years ago there was a logic to it, but as that's accrued over time. Yeah.

Brenda Bannon (00:53:21):

Okay. So you've mentioned RC1 a number of times, and I do understand that it came up in the aftermath of the SOCC meeting debrief. This is my question to you. When did you first hear that there was any conflict between RC1 and RC1 ?

RC1 (00:53:51):

I'm not sure when I first heard, because at times I heard more general dissatisfaction or dissent within the office, but I never, specific identities I wasn't aware of. **We received in the office some anonymous complaints about RC1 from alleged staff, ostensibly staff in that office at various points in time, but I don't recall if I knew anything about RC1 ,** I being kind of a source of that. I am not sure when I figured that part out.

Brenda Bannon (00:54:45):

Okay. Complaints regarding RC1

RC1 (00:54:48):

Yeah.

Brenda Bannon (00:54:49):

Okay. How did they come to your attention?

RC1 (00:54:54):

Well, for instance, we would get something emailed to the Pierce County executive, and when one of the office assistants would see something, they would forward that and say, Hey, this is unusual. I also received a separate document later on via the finance department that had some complaints, but at one point, actually, I shouldn't say at one point, at multiple points, somehow the anonymity was stripped away. Somebody must have approached our office and said they wanted a meeting or something, because I know **that Bruce Dammeier and** RC1 **met with various dissatisfied people within that office who wanted to come in and raise their concerns with** RC1 **leadership.**

Brenda Bannon (00:55:59):

You and Bruce?

RC1 (00:56:00):

No, Bruce Dammeier and RC1

Brenda Bannon (00:56:05):

Do you know who they met with?

RC1 (00:56:09):

One of them was RC1, who at the time worked as the head of the RC1 within that office, and now works for the council as an RC1

Brenda Bannon (00:56:25):

Is her last name spelled with RC1, do you know?

RC1 (00:56:30):

I think it's RC1.

Brenda Bannon (00:56:31):

Okay.

RC1 (00:56:35):

I'm not a hundred percent certain, but I think it's RC1 Okay. RC1 was another person who came in and met with them other than RC1 would've met with RC1 as part of the loudermill process. At

RC1 (00:56:57):

One

RC1 (00:56:57):

Point I as possible, **Kevin Stock called and was hearing from his people and lodged some complaints,** but I can't, I'm not certain. I was not directly, I'm picking this up in the office. People aren't coming to me as much. Okay. I feel like there was another person that I'm missing was more or less that entire leadership tier below (00:57:30): RC1

RC1 (00:57:33):

RC1 Yeah. RC1 would've been another dissatisfied person who ultimately took a job with the court system as well, I believe.

Brenda Bannon (00:57:45):

Is there any place where I might find any documentation, any notes regarding the series of meetings that you're describing?

RC1 (00:57:53):

I'm not certain. There may be an email record of some of the complaints that were received into the Pierce County Executive's office, but I don't know that there are any notes. You'd have to talk to RC1 RC1 I think whether he took any notes as part of this process.

Brenda Bannon (00:58:17):

Okay. What was the upshot of that series of meetings that you just described?

RC1 (00:58:26):

General conclusion that there was a lot of dissatisfaction, no evidence of any gender or racial related cause I guess, but a conclusion that there were not specific facts or circumstances that were alleged at any point. More just a general airing of grievances. I don't even know if that's even the right term. It was, again, I wasn't in the meetings, but it was described to me that independently both RC1 and Bruce Dammeier came to the conclusion that people are upset, but they're not telling you specific circumstances or events of why they're

RC1 (00:59:20):

Upset. Okay.

Brenda Bannon (00:59:54):

Lemme just catch up with my notes real quickly.

RC1 (00:59:57):

No worries.

Brenda Bannon (01:01:06):

Did anybody relay to you, or second or third hand, any concern that RC1 had regarding being contacted about that high profile police use of force case that you alluded to a little bit ago and asked for her perspective of what a verdict might have as far as impact on the black community?

RC1 (01:01:30):

Can you say it one more time? Brenda,

Brenda Bannon (01:01:32):

Did you hear of any concern raised by RC1 regarding being contacted about that situation? IE, her seeking her input about the impact to the black community?

RC1 (01:01:50):
I don't recall that. Okay.

RC1 (01:01:57):
I can recall her participation, but I'm not sure I've ever heard anything about concerns.

Brenda Bannon (01:02:05):
Okay. And what participation do you recall?

RC1 (01:02:09):
I mean, I can recall being in at least one meeting in the executive's office where we were discussing the potential impact of verdict, either guilty or not guilty, and RC1 was present at the meeting, but I don't recall.

Brenda Bannon (01:02:32):
Okay. I'm

RC1 (01:02:33):
Trying to remember. Yeah, it is possible. I can't say for certain.

Brenda Bannon (01:02:43):
Okay. Libby, she's a director of

RC1 (01:02:49):
Communications.

Brenda Bannon (01:02:50):
Was she in that meeting?

RC1 (01:02:58):
She might've been. I don't recall for, I don't recall for sure. Okay. I believe that we had emergency management there as well, which either would've been Jody Ferguson or Amy Gillespie, or both. Okay. Yeah, I can't say for certain. Sorry, Brenda.

RC1 (01:03:20):
That's all right. All right.

Brenda Bannon (01:03:38):
I Were you privy to a conversation with RC1 or regarding RC1 that it might be a good idea for her to have a conversation with the new deputy prosecuting attorney, Treja Miranda?

RC1 (01:03:59):

I was not, it's triggering a memory. Some, I might've heard something second or third hand about that, but I was not directly involved in that. I think I heard a rumor about RC1 saying, you know, really should talk to the new deputy prosecuting attorney. What was her name? Treja.

Brenda Bannon (01:04:31):

T-R-E-J-A-. Oh, just A-T-R-E-J-A?

RC1 (01:04:38):

Yeah, I think. I think somebody mentioned that to me, but yeah, I don't have anything.

Brenda Bannon (01:04:51):

Did anyone tell you what the thinking was regarding that suggestion?

RC1 (01:04:55):

No, I think it was raised. Why would RC1 say that? It was more the thrust of the comment that I heard.

RC1 (01:05:03):

Okay.

Brenda Bannon (01:05:12):

Did RC1 bring it up as an idea to your knowledge?

RC1 (01:05:16):

No, I, no, no, I don't think so. I mean, my recollection, to the extent I could even use that word, my sense is that it was, I heard a rumor that RC1 suggested that.

RC1 (01:05:34):

Okay. And

RC1 (01:05:34):

That whoever told me that was saying, well, why would she do that? That's kind of the logical or whatever.

(01:05:48):

Brenda Bannon (01:05:56):

Okay. Did you hear at any time before your departure from Pierce County, any of the employees at the clerk's office using any swear words or pejorative terms, slurs, jokes, images put down regarding the clerk or directed to RC1 ?

RC1 (01:06:21):

No, I didn't have a lot of direct contact with clerk's employees to the extent I did. I did not hear any of those. The only stuff I was familiar with, the things I was familiar with would be any of the written complaints, and none of 'em used. What I think you're describing in terms of slurs, pejoratives, things

like that, there were complaints about leadership style, but not anything that I think what you're referencing in terms of race or gender or any sort of, even nastiness, if you will, possibility it was more, yeah,

Brenda Bannon (01:07:00):

Nothing snide or pejorative or sarcastic.

RC1 (01:07:06):

Not that I can recall. It's nothing that sticks out no term that I would be like, whoa, that was way over the line.

Brenda Bannon (01:07:13):

Okay. So do you think that those written complaints are housed in the executive department or the prosecuting attorney's office, or do you know?

RC1 (01:07:22):

I don't know. At least one of them, I believe, came in via email. Probably in that email would've went to either Bruce do damier@piercecountywa.gov, or PC executive@piercecountywa.gov, and I suspect those still could be recovered.

RC1 (01:07:53):

Alright. All right.

Brenda Bannon (01:08:00):

Was to your recollection, RC1 , one of the complaining persons,

RC1 (01:08:09):

I think that's right. That name is familiar to me, but I couldn't identify RC1 .

RC1 (01:08:19):

Okay.

RC1 (01:08:21):

I believe that name was associated with a complaint of the employee who allegedly turned her back on RC1 during a meeting, is my best guess on who RC1 is.

RC1 (01:08:37):

Okay.

Brenda Bannon (01:08:46):

And so to the extent that you have knowledge regarding these persons that made complaints to the executive office, you would've only heard about it second or third hand, is that correct?

RC1 (01:08:57):

That's correct.

Brenda Bannon (01:08:57):

Okay. All right. So RC1 is there anything else that I just haven't asked the right question that you have any assessment of information to offer regarding the scope of this particular workplace investigation?

RC1 (01:09:36):

I don't think so, no.

Brenda Bannon (01:09:46):

Do you recall the last time that you had any kind of actual conversation with RC1 ?

RC1 01:09:55):

Yes. It would've been at the last cabinet meeting that we had in December before a number of us were being exited from Pierce County at the end of the administration.

Brenda Bannon (01:10:11):

Okay. Anything remarkable about that interaction?

RC1 (01:10:18):

I just told RC1 that I think it was one of the best decisions we made was hiring her because I thought that, I can't remember how much, it was very short conversation, so I don't think I put a lot of explanation behind it, but what I was thinking at the time was just how, okay. Well, I do recall a little bit more what I said. I said something about how I thought she was one of the best decisions we've made because it was the courage to be vulnerable at times that she demonstrated that I was really impressed with, and that what I was thinking was that there was just a lot of old processes, and I just need for modernization. That's really hard to do, and the fact that she was willing to take it on despite these setbacks and continue to persist over obstacles is something that I found personally very inspiring and impressive, and I wanted her to know that.

Brenda Bannon (01:11:32):

Did you tell her that?

RC1 (01:11:34):

I told her something close to that without the extended explanation. Right. It was maybe three or four sentences, but it was our last meeting as a group, and so it was emotional already. She had it went around the table. She had also said some very kind words about RC1 and things, and so we were all sort of emotionally primed, and I thought she should know that. I thought she was doing a great job in really challenging circumstances.

RC1 (01:12:08):

Okay. Okay. Anything else,

Brenda Bannon (01:12:21):

RC1

RC1 (01:12:24):
Nothing more that comes to mind.

Brenda Bannon (01:12:27):
Okay. So I often say to folks, sometimes we have those aha moments in the aftermath of meeting with a person or having a meeting with others where you think, oh, I totally forgot that I should have told Brenda that, or something like

RC1 (01:12:42):
That.

Brenda Bannon (01:12:43):
You know how to reach me of my contact information, so please do if one of those things occurs. I do understand, as we alluded to earlier, there's only so much that would arise to your level, and that's the nature of the organizational structure of a big organization like Pierce County, but to the extent that there is other stuff, I just haven't had a chance to plumb your memory fully. Please let me know. And also, if there's other people that you think would be helpful for me to meet with to further color in the detail, that would be terrific.

RC1 (01:13:19):
And I think that probably already on your list, but as I mentioned a few times here, RC1 probably would have the most direct knowledge since a lot of times for me, the action item was, well, RC1 I'm handing this off to you as the direct supervisor, and so he's somebody that I would think is definitely worthy of talking to two.

Brenda Bannon (01:13:44):
Okay. He's recently retired, right?

RC1 (01:13:51):
Yeah. He also exited, but in a retirement situation at the end of the term. Are you familiar with his background?

Brenda Bannon (01:13:59):
No. What is his background?

RC1 (01:14:01):
So prior to joining the county, he was the chairman of the RC1 for a period of time, writing the budget for the state, and then was our RC1 for eight years, I believe, and then so had a break in his public service career, spent some time in private equity, and then kind of came out of retirement, if you will, to reduce [?] some public service with the county joining around the same time. I did, I believe his first day would've been RC1, and he was with the administration for the eight years. Okay.

Brenda Bannon (01:14:46):

Thanks for that background. That's helpful. Alright, well, I wish you, again, all the best as you transition. Oh, thank you. And very nice to meet you.

RC1 [redacted] (01:14:57):

Nice to meet you. Thanks, Brenda.

Brenda Bannon (01:14:58):

Take care. Bye-bye.

RC1 [redacted] (01:14:59):

Okay, bye.

Brenda Bannon (01:15:06):

Our meeting ended at 2:18 PM.